

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

LEONARD C. JEFFERSON,  
Plaintiff,

v.

WILLIAM WOLFE, et al.,  
Defendants.

FILED  
'07 FEB 26 09:53  
C.A. NO. 04-44 ERIE

CLERK  
U.S. DISTRICT COURT

APPENDIX TO PLAINTIFF'S BRIEF IN OPPOSITION TO  
DEFENDANTS' MOTION FOR SUMMARY JUDGMENT

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Form DC-135A		Commonwealth of Pennsylvania Department of Corrections	
<b>INMATE'S REQUEST TO STAFF MEMBER</b>		<b>INSTRUCTIONS</b> Complete items number 1-8. If you follow instructions in preparing your request, it can be responded to more promptly and intelligently.	
1. To: (Name and Title of Officer) <u>MS. GAMBLE, COUNSELOR</u>		2. Date: <u>12/5/01</u>	
3. By: (Print Inmate Name and Number) <u>LEONARD C. JEFFERSON, CL-4135</u>  <u>Leonard C. Jefferson</u> Inmate Signature		4. Counselor's Name <u>MS. GAMBLE</u>	
		5. Unit Manager's Name <u>MS. MCKISSOCK</u>	
6. Work Assignment <u>CHAPEL CLERK</u>		7. Housing Assignment <u>A/A-54</u>	
8. Subject: State your request completely but briefly. Give details. <u>VERSES 118-120 AND 144-150 FROM CHAPTER 3, VERSE 41 FROM CHAPTER 40, VERSES 118-19 FROM CHAPTER 11, VERSE 4 FROM CHAPTER 60 AND VERSE 23 FROM CHAPTER 4 OF THE HOLY QUR'AN ARE HIGHLIGHTED ON THE ATTACHED PHOTOCOPIES. WHILE THERE IS NO VERSE OF THE QUR'AN WHICH SAYS: "MUSLIMS SHOULD NOT PARTICIPATE IN D.O.C. PROGRAMS," THE ATTACHED VERSES STATE THE GENERAL PRINCIPLE THAT MUSLIMS SHOULD REJECT AND AVOID ALL TEACHINGS AND PROGRAMS WHICH (ARE IN FACT ANTI-ISLAMIC SINCE THEY) DO NOT FLOW FROM THE QUR'AN. ¶ WHEN THE D.O.C. SAYS I AM INELIGIBLE FOR TRANSFER, DUE TO MY REFUSAL TO (CAST ASIDE MY RELIGIOUS BELIEFS AND DUTIES IN ORDER TO) PARTICIPATE IN ITS PROGRAMS, THIS IS CLEARLY RELIGIOUS DISCRIMINATION. NON-MUSLIMS ARE NOT ASKED TO DO THINGS WHICH REQUIRE THEM TO CAST ASIDE THEIR RELIGIOUS BELIEFS AND DUTIES IN ORDER TO BECOME ELIGIBLE FOR TRANSFER... ¶ AGAIN, I RESPECTFULLY REQUEST THAT: (1) I BE STAFFED FOR TRANSFER TO PITTSBURGH OR TO A SAIL THAT IS NEARER TO MY FAMILY, AND (2) THAT MY D.O.C. FILE BE MADE TO REFLECT THE FACT THAT THE TEACHINGS AND PRACTICES OF ISLAM MEET AND FULFILL ALL OF MY SO-CALLED PROGRAMMING NEEDS.</u>			
<u>THANK YOU FOR YOUR ATTENTION TO THIS REQUEST.</u>			
9. Response: (This Section for Staff Response Only)			
<u>I HAVE DISCUSSED THIS WITH THE UNIT MEET TEAM. NO PROGRAM AT MIBCN IS ANTI-ISLAMIC. YOU DO NOT MEET THE CRITERIA FOR TRANSFER. (1) YOU ARE IN YOUR HOME REGION. (2) YOU ARE NOT PROGRAM COMPLIANT. (3) TRANSFERS ARE PROMOTIONAL IN NATURE. WE ARE NOW DISCUSSING THIS ISSUE. I PROMISED THAT YOU WERE COMMITTED TO YOUR RELIGIOUS PRACTICES AND BELIEFS. HOWEVER THIS COMMITMENT DOES NOT REPLACE INSTITUTIONAL PROGRAMS.</u>			
To DC-14 CAR only <input type="checkbox"/>		To DC-14 CAR and DC-15 IRS <input type="checkbox"/>	

Staff Member Name

TRICIA GAMBLE  
Print

Sign

Date 12/6/01

Revised July 2000

SUMMARY JUDGMENT ATTACHMENT

59

Leonard C. Jefferson, CL-4135  
A/A - 59  
December 9, 2001

Mr. Wolff, Superintendent  
SCI-Albion

Several months ago, upon requesting transfer to SCI-PGH (or to a jail that is closer to my family), Ms. Gamble informed me (1) that there was a new "promotional" transfer policy, and (2) that since I have not participated in any of the programs which the jail recommended, (3) my failure to participate in D.O.C. programs caused me to be ineligible for consideration for a "promotional" transfer. ¶ A few days ago I renewed my request for transfer to SCI-PGH; and I also asked Ms. Gamble to cause my file to indicate: Islam is my program. I attempted to demonstrate (via an essay from Dr. Abdalati's book, ISLAM IN FOCUS, and via verses from the Holy Qur'an) that the teachings of Islam are comprehensive to such a degree that (1) Divine guidance is provided for every situation in a believer's life, (2) that it is forbidden for a believer to accept guidance from non-believers, and (3) that I am being discriminated against, on the basis of my religious beliefs, in this situation wherein my refusal to violate a fundamental principle of my religion (i.e., to accept non-Islamic counseling, teachings and programs on how I should view life's situations) causes me to be ineligible for the "promotional" transfers, and other perks, which non-Muslim inmates become eligible for without having to violate any of their religious beliefs. ¶ I have attached, for your information, a page from VOICES OF RESURGENT ISLAM, which is edited by John L. Esposito and available from the Oxford Press. The underlined passages make clear the fact that "the Islamic vision is unique and does not accept ideas from other sources." Hopefully this will help you grasp the concept that requiring Muslims to participate in non-Islamic-based D.O.C. programs (in order to receive favorable reports for custody level upgrades, parole, "promotional" transfers, etc.) is similar to requiring Muslims to eat pork in order to receive proper nutrients... The D.O.C. provides alternative protein which fulfills the Muslims nutritional needs when a pork meal is served, and similarly, the D.O.C. should provide an alternative program which fulfills the programming needs of the Muslim prisoners (without asking and/or requiring the Muslim to violate a fundamental principle of the teachings of Islam) ¶ I respectfully request that (after reviewing the attached documentation, and my history in the D.O.C.) you: (1) cause my file to indicate that Islam is sufficient to meet my programming needs (this should prevent me from receiving any more negative reactions and/or results from my failure to participate in the D.O.C.'s non-Islamic-based programs), and (2) that you cause my request for transfer to SCI-PGH (or to a jail which is closer to my family) to be processed as soon as possible. Thank you for your attention to this matter. Respectfully.

To: Leonard C. Jefferson

*you have your Prescriptive Program & know what is required of you. That is sufficient!*

cc: counselor  
unit mgr  
10-15

W. J. Wolff  
12-10-01

3. Comprehensiveness (*shumul*): The third characteristic of the Islamic vision is its comprehensive nature. Man himself is never able to provide an equivalent comprehensive substitute, due in large part to his finitude and his limitation in time and place. Man is unable to provide a complete system that takes into account all considerations and aspects. "It is impossible that a human concept or a humanly devised system would ever personify comprehensiveness. It will always be temporary or fragmentary."<sup>10</sup>

The true Islamic vision has been corrupted by those who over the years have complicated it by mixing it with other ideas such as those of Plato or Aristotle as well as some Christian theologians. They are the "so-called" Islamic philosophers who incorporated these ideas into Islamic thought. This mixing is unacceptable because the Islamic vision is unique and does not accept ideas from other sources.

This vision is of such comprehensiveness and breadth, of precision and depth, of authenticity and integratedness that it rejects every foreign element, even though it is merely a verbal expression which is currently fashionable in foreign [intellectual] circles."

The comprehensive nature of Islam is reinforced by the unity that proceeds from the One Divine source. This unity is manifested in the areas of "thought and behavior, vision and initiative, doctrine and system, source and reception, life and death, striving and movement, life and means of livelihood, this world and the next. It does not divide into sections, seek various paths or horizons or march on different roads without agreement."<sup>11</sup>

When humanity is united in its obedience to the one source of all its vision, understanding, values, legislation, and law, then it will be at its best. In this way "the total human endeavor must become one movement, bent on the realization of the purpose of human existence . . . worship, the worship that is made evident in man's bondage to God alone in all that he undertakes as a vicegerent."<sup>12</sup>

Some Muslims have divided human activity into two spheres, *ibadat* (acts of worship) and *muamalat* (human relationships). This late interpolation into Islamic thought led some people to believe that a Muslim could continue to be a Muslim if he separates between the two and fulfills the acts of worship according to the Islamic injunctions while relegating the area of his relations to other human beings to legislative sources other than Islam. This to Qurb is unacceptable. To him the comprehensiveness of the system guarantees that "Islam is a unity that is indivisible. Any one who divides it into two sections is outside this unity, in other words, he is outside this religion."<sup>13</sup>

4. Balance (*tawazun*): This characteristic has preserved the unique nature of Islam. It is evidenced in the harmony that exists between that which is revealed, which humans can grasp and apprehend, and that which is accepted by faith

since man has no capacity to comprehend it. Human nature feels comfortable with this vision since absolute knowledge rests with God in whom man places his total trust. "Any doctrine that is totally comprehensible to humans is no doctrine." It is the balance between the known and the unknown, the revealed and the hidden that is in accordance with human nature.<sup>14</sup>

5. Positiveness (*ijbatiyyah*): The Islamic vision emphasizes the positive relation of God to the world, life, and man. From obedience to God proceeds the positiveness in the believer's life. The Islamic vision is not a negative one that dwells in the world of the conscience, it is not idealistic or merely spiritual, but rather, "it is a 'prototype' for a reality to be implemented according to its plan."<sup>15</sup> There is not a single action in life which should not proceed as a witness to this religion, not only as an affirmation of faith through the tongue but one of action, evidencing to others that which makes a difference in the world.

6. Pragmatism (*waqiyyah*): This vision is not idealistic, but rather is grounded in the reality of life. Yet it is idealistic-realistic in that it aims at establishing the highest and most perfect system to which humanity can ascend.<sup>16</sup> The role of man as perceived in Islam is within the limits of his capacity.

Man is taken as he is, "one who eats, marries, procreates, loves, hates, hopes, and fears." Islam takes into account "human nature, his capacities, his virtues, evils, strengths, weaknesses." It does not portray man as inferior, nor does it denigrate his role on earth. It does not elevate him to the role of divinity, nor does it see him in angelic form. This is contrary to the Brahmanic vision of man which denies the body as unreal, and to Christianity which sees man as made of body and soul and determines that which pertains to the body as evil.<sup>17</sup>

7. Unicity (*tawhid*): While *tawhid* is the essential comprehensive characteristic of the total Islamic doctrine and its primary basis, it is also one of its components.<sup>18</sup> *Tawhid* is the foundation of all the revealed religions given to the prophets by God. However, it is unique to Islam in that it is the only religion which has preserved it in its pristine condition, not falsifying it.<sup>19</sup> Islam affirms that there is one God to whom alone divinity can be ascribed and there is creaturehood of everything else.<sup>20</sup> The only relationship between Creator and creature is that of creaturehood. This assures that "there is no ruler save God, no legislator, no organizer of human life and of human relationships to the world, to living things or human beings save God. From Him alone is received all guidance and legislation, all systems of life, norms governing relationships and the measure of values."<sup>21</sup>

### THE ISLAMIC IMPERATIVE

In 1954, Sayyid Qutb was arrested with many members of the Muslim Brotherhood. Accused of conspiring to assassinate Gamal Abdel Nasser, he was tried and sentenced to fifteen years of hard labor. During his incarceration he revised



DC-43

## COMMONWEALTH OF PENNSYLVANIA

PRESCRIPTIVE PROGRAM PLAN

Department of Corrections

DC NUMBER	NAME	INSTITUTION	DATE INITIATED
CL4135	LEONARD JEFFERSON	SEA	7/20/01

AREAS OF CONCERN

<input type="checkbox"/> Mental Health	<input type="checkbox"/> Physical	<input checked="" type="checkbox"/> Assaultiveness
<input checked="" type="checkbox"/> Vocational	<input type="checkbox"/> Drug	<input type="checkbox"/> Sexual
<input type="checkbox"/> Academic	<input checked="" type="checkbox"/> Alcohol	<input type="checkbox"/> Escape
<input checked="" type="checkbox"/> Other	LONG TIMERS	

CL-2

## RECOMMENDED ACTIONS

(The following is a list of suggested programs and/or kinds of behavior which may help you with the weakness and/or problem areas):

Remain misconduct FREE  
 POSITIVE HOUSING WORK REPORTS  
 BATTERERS INTERVENTION (MS CRAWFORD)  
 STRESS AND ANGER MGMT (ON UNIT)  
 CITIZENSHIP TRAINING (ON UNIT)  
 LONG TIMERS GROUP (MS EILANDAU)  
 ACTIVITIES OF CHOICE (WALKING, YARD, RELIGIOUS ETC.)  
 (NOT INTERESTED IN PROGRAMS AT THIS TIME)

  
 Signature of Staff Member

  
 Signature of Inmate

Tentative Progress Review (date) 7/02

## RESULTS ACHIEVED or reasons for lack of results

RELIGIOUS PROGRAMS  
 WALKING - PHYSICAL FITNESS  
 1 MISCONDUCT CLASS II  
 HOUSING & WORK REPORTS

SUMMARY JUDGMENT  
ATTACHMENT

  
 Signature of Staff Member

7/24/02  
 Date Reviewed

  
 Signature of Inmate

The two lists are not all inclusive and may change over time. Additional weaknesses and/or problem areas may be uncovered. Weaknesses and/or problem areas may be overcome or reduced in importance. Programs may be completed or additional programs may be indicated. These lists can and should be reviewed periodically to account for any progress or lack of progress. You should request a review through your Counselor to discuss any changes and to keep your prescriptive program current.

While all participation in all programs is strictly voluntary, progress or lack of progress in dealing with weaknesses and/or problem areas will be one of the factors taken into consideration for all actions requiring staff support such as recommendations for program level changes, job changes, pre-release, commutation, and parole.

<b>DC-43</b>		<b>Commonwealth of Pennsylvania</b>		(revised 2/00)				
<b>Prescriptive Program Plan</b>		<b>Department of Corrections</b>						
DC-Number: <u>024135</u>	Facility: <u>ALCO</u>	Custody Level: <u>2</u>	Date of Review: <u>7/24/02</u>					
Name: <u>LEONARD ORTIZ (RCA)</u>		Initiation Date: <u>7/24/02</u>						
<b>Issues to be Addressed</b>								
<b>At Reception</b>	Mental Health ( ) Vocational ( ) Academic ( ) Drug/Alcohol ( ) Assaultive ( ) Sexual ( ) Escape ( ) Other ( ) Explain: <u>CONSTANTLY INMATE</u>							
<b>This Review</b>	Mental Health ( ) Vocational ( ) Academic ( ) Drug/Alcohol ( ) Assaultive ( ) Sexual ( ) Escape ( ) Other ( ) Explain: <u>1</u>							
This plan may change over the course of your incarceration. Additional problem areas may be uncovered. Programs may be completed or additional programs indicated. This plan should be reviewed annually to account for any progress or lack of progress.								
You are expected to maintain positive housing, work and school reports, and remain misconduct free.								
Progress or lack of progress on the Prescriptive Program Plan will be one of the factors taken into consideration for all actions requiring staff recommendations for job changes, pre-release and parole.								
Program	Education Program Type ****	Ed Code ****	Recommend (Y/N)	Date Recommend (waiting list)	Actual Start Date	Actual Complete Date	Removed (Y/N)	Reason Removed*
<b>Work/Education</b>								
Employability								
Academic Education								
Vocational Education								
Facility Job			<u>Y</u>					
<b>Family Relationship/Self</b>								
Parenting								
Breaking Barriers								
Health & Wellness								
55 & Older Program								
Long Term Offender								
<b>Citizenship/ Personal Responsibility</b>								
Citizenship Program			<u>Y</u>					
<b>Offense Related</b>								
Drug & Alcohol Education**								
D/A Outpatient/Treatment**								
D/A Therapeutic Comm.**								
Sex Off. Program Orientation***								
Sex Off. Program Treatment***								
Anger Management								
Act 143 (Victim Awareness)								
<u>143 (Victim Awareness)</u>			<u>Y</u>					
<b>Release Planning</b>								
Formulate Parole Plan								
Pay \$30 Act 27 of 1995 Fee								
Pre-release eligibility date								
<b>Other</b>								
Comments on recommendations for this rating period								
<u>CONTINUING POSITIVE ADJUSTMENT</u>								
Comments on progress from last rating period								
<u>NO NEW INTEREST IN PROGRAMS</u> <u>NO MISCONDUCT IN LAST YEAR - REMOVED FROM JOB ON GCP</u>								

Signature of Staff

Signature of Inmate

Date of Next Review

\*Removal Codes: PA - Poor Attendance, PP - Poor Participation, MH - Mental Health Commitment, MI - Misconduct, WR - Writ, DI - Disruptive, SM - Self Removal  
 \*\* D/A Programs: Assignment in conjunction with D/A Staff \*\*\*Sex Off. Programs: Assignment in conjunction with sex offender treatment staff  
 \*\*\*\*Academic - 1 - Spec. Ed, 2 - ESL, 3 - Lit, 4 - ABE, 5 - GED. Vocational - 1 - part-time, 2 - full-time, 3 - Accredited

WHITE - DC-15 YELLOW - Inmate After Progress Review

PINK - Other

GOLDENROD - Inmate When Initiated

SUMMARY JUDGMENT ATTACHMENT



<b>DC-43</b>		<b>Commonwealth of Pennsylvania</b>		(revised 2/00)	
<b>Prescriptive Program Plan</b>		<b>Department of Corrections</b>			
DC-Number: <u>CL4135</u>		Facility: <u>A1b</u>		Custody Level: <u>3</u>	Date of Review: <u>7/11/03</u>
Name: <u>Jefferson, Leonard</u>				Initiation Date:	
<b>Issues to be Addressed</b>					
At Reception	Mental Health ( ) Sexual ( )	Vocational ( ) Escape ( )	Academic ( ) Other ( )	Drug/Alcohol <u>(X)</u>	Assaultive <u>(X)</u>
This Review	Mental Health ( ) Sexual ( )	Vocational ( ) Escape ( )	Academic ( ) Other ( )	Drug/Alcohol ( )	Assaultive <u>(X)</u>
<p>This plan may change over the course of your incarceration. Additional problem areas may be uncovered. Programs may be completed or additional programs indicated. This plan should be reviewed annually to account for any progress or lack of progress.</p> <p>You are expected to maintain positive housing, work and school reports, and remain misconduct free.</p> <p>Progress or lack of progress on the Prescriptive Program Plan will be one of the factors taken into consideration for all actions requiring staff recommendations for job changes, pre-release and parole.</p>					
Program	Education Program Type ****	Ed Code ****	Recommend (Y/N)	Date Recommend (waiting list)	Actual Start Date
<b>Work/Education</b>					
Employability					
Academic Education					
Vocational Education					
Facility Job	<u>Obtain</u>		<u>Y</u>		
<b>Family Relationship/Self</b>					
Parenting					
Breaking Barriers					
Health & Wellness					
55 & Older Program					
Long Term Offender					
<b>Citizenship/ Personal Responsibility</b>					
Citizenship Program			<u>Y</u>		
<b>Offense Related</b>					
Drug & Alcohol Education**					
D/A Outpatient/Treatment**					
D/A Therapeutic Comm.**					
Sex Off. Program Orientation***					
Sex Off. Program Treatment***					
Anger Management	<u>Violence Prevention</u>		<u>Y</u>		
Act 143 (Victim Awareness)					
<u>Batterers Intervention</u>			<u>Y</u>		
<b>Release Planning</b>					
Formulate Parole Plan					
Pay \$30 Act 27 of 1995 Fee					
Pre-release eligibility date					
<b>Other</b>					
<u>No misconducts</u>			<u>Y</u>		
<p>Comments on recommendations for this rating period</p> <p><u>Contact ms. Crawford for violence prevention and Batterers Intervention groups</u></p>					
<p>Comments on progress from last rating period</p> <p style="text-align: center;"><u>SUMMARY JUDGMENT ATTACHMENT</u></p> <p style="text-align: center;">(ENHANCED, BUT NOT ALTERED, BY PLAINTIFF)</p> <p style="text-align: right;"><u>Leonard Jefferson 12/29/06</u></p>					

Signature of Staff

Signature of Inmate

Date of Next Review

\*Removal Codes: PA - Poor Attendance, PP - Poor Participation, MH - Mental Health Commitment, MI - Misconduct, WR - Writ, DI - Disruptive, SM - Self Removal  
 \*\* D/A Programs: Assignment in conjunction with D/A Staff  
 \*\*\*Sex Off. Programs: Assignment in conjunction with sex offender treatment staff  
 \*\*\*\*Academic - 1 - Spec. Ed, 2 - ESL, 3 - Lit, 4 - ABE, 5 - GED. Vocational - 1 - part-time, 2 - full-time, 3 - Accredited

WHITE - DC-15 YELLOW - Inmate After Progress Review

PINK - Other

GOLDENROD - Inmate When Initiated

5

**Pennsylvania Department of Corrections**  
**DC 43 Correctional Plan**

7/25/2005 9:50:30 AM

Production

Inmate Name: JEFFERSON, LEONARD  
Location: F-B-1030-01  
Annual Review Date : 07/2005

Inmate Number: CL4135  
Counselor: Gamble, Tricia  
Pre-release eligible date :

**General Expectations:**

Expectation	Recommended	Comment
Act 27 ( \$30.00 )	07/25/2005	
Maintain Personal Hygiene	07/29/2004	
Maintain positive work reports	07/29/2004	
Misconduct Free Behavior	07/29/2004	
Positive Housing Reports	07/29/2004	

**Recommended Programming:**

Program
Batterers Group
Citizenship
Violence Prevention

**Currently Enrolled In:**

Program	Facilitator	Start Date	End Date
No Current Enrollments			

**Programs Previously Enrolled In:**

Program	Evaluated By	Completion	Status
No Previously Completed Programs			

Comments : inmate refused all programs.

[ Your Correctional Plan is subject to be re-evaluated at any time during your incarceration. ]

Counselor's Signature/Date  
8/18/05

Inmate's Signature/Date  
Leonard C. Jefferson  
8-5-5

Inmate Number: CI4135  
Counselor: Gamble, Tricia  
Pre-release eligible date :

Expectation	Recommended	Comment
Act 27 ( \$30.00 )	07/25/2005	
Maintain Personal Hygiene	07/29/2004	
Maintain positive work reports	07/29/2004	
Misconduct Free Behavior	07/29/2004	
Positive Housing Reports	07/29/2004	

Program
Batterers Group
Violence Prevention

Program	Facilitator	Start Date	End Date
No Current Enrollments			

Program	Evaluated By	Completion	Status
No Previously Completed Programs			

**Counselor's Signature/Date**

Inmate's Signature/Date

DC-135A

FB

## INMATE'S REQUEST TO STAFF MEMBER

## COMMONWEALTH OF PENNSYLVANIA

## DEPARTMENT OF CORRECTIONS

## INSTRUCTIONS

Complete Items Number 1-7. If you follow instructions in preparing your request, it can be disposed of more promptly and intelligently.

1. TO: (NAME AND TITLE OF OFFICER)

Ms. McKissock, Unit Manager

2. DATE

07/12/03

3. BY: (INSTITUTIONAL NAME AND NUMBER)

LEONARD C. JEFFERSON, CL-4135

4. COUNSELOR'S NAME

MR. SNYDER

5. WORK ASSIGNMENT

GLP

6. QUARTERS ASSIGNMENT

~~A/A-SG~~

7. SUBJECT: STATE COMPLETELY BUT BRIEFLY THE PROBLEM ON WHICH YOU DESIRE ASSISTANCE. GIVE DETAILS.

ON 07/11/03 MR. SNYDER INFORMED ME THAT MY LEVEL HAD BEEN RAISED FROM

A LEVEL TWO TO A LEVEL THREE. WOULD YOU PLEASE GIVE ME A WRITTEN

STATEMENT WHICH SET FORTH THE REASONS FOR THIS CHANGE. THANK YOU FOR

YOUR ATTENTION TO THIS REQUEST.

8. DISPOSITION: (DO NOT WRITE IN THIS SPACE)

Mr. Jefferson

Your annual review is done in July. During the process, your level is reviewed using the Penna. Additive Classification Tool (PACT). There are several factors that affect your level. Those factors include a misconduct record, the fact that you do not have a job and the issue of your refusal to complete any programming.

☐ TO DC-14 CAR ONLY☐ TO DC-14 CAR AND DC-15 IRS

SUMMARY JUDGMENT ATTACHMENT

STAFF MEMBER

Ms McKissock

DATE

7/16/03

DC-804  
Part 1COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF CORRECTIONS  
P.O. BOX 598  
CAMP HILL, PA 17001-0598

FOR OFFICIAL USE ONLY

58644  
GRIEVANCE NUMBERONE OF TWO  
OFFICIAL INMATE GRIEVANCE

TO: FACILITY GRIEVANCE COORDINATOR <b>Mr. Barr</b>	FACILITY: <b>Albion</b>	DATE: <b>08/04/03</b>
FROM: (INMATE NAME & NUMBER) <b>Leonard C. Jefferson, CI 1135</b>	SIGNATURE of INMATE: <i>Leonard C. Jefferson</i>	
WORK ASSIGNMENT: <b>CLF</b>	HOUSING ASSIGNMENT: <b>F/1-50</b>	

## INSTRUCTIONS:

1. Refer to the DC-ADM 804 for procedures on the inmate grievance system.
2. State your grievance in Block A in a brief and understandable manner.
3. List in Block B any actions you may have taken to resolve this matter. Be sure to include the identity of staff members you have contacted.

## A. Provide a brief, clear statement of your grievance. Additional paper may be used, maximum two pages.

At my Yearly Review, on 07/11/03, I was informed that my Custody Level had been raised from Level 2 to Level 3; and that this change in my Level would cause me to be removed from A/A (Honor Status). On 07/16/03 I was transferred from A/A to F/B, a Level 3 Housing Unit. In response to my 07/12/03 DC-135A, Ms. McKissack informed me that the factors which affected my level included: "a misconduct record, the fact that you do not have a job and the issue of your refusal to complete any programming." In light of the fact that the misconducts which I received on 02/12/02 were not treated as factors which required my level to be raised at my Yearly Review on 07/24/02 it appears that a double standard is being applied in this situation wherein: (1) the 02/12/02 misconducts are now cited as factors which allegedly required my level to be raised at my Yearly review on 07/11/03, (2) my present unemployment is the result of retaliatory/discriminatory actions by staff who routinely assign new jobs immediately to inmates whom they staff out of a job, but failed to provide a new job for me after staffing me out of my job on 11/13/02, and (3) notwithstanding my explanations to my Unit Counselors, that I was refusing to participate in DOC programs because said programs are based upon, and teach, values and principles which oppose the values and principles of my religion; Islam, the DOC is in violation of state and federal constitutional prohibitions against the establishment of a state-sponsored religion when the DOC cites my refusal to participate in programming -- which is offensive to my religion -- as its justification for taking the punitive step of raising my Custody Level.

## B. List actions taken and staff you have contacted, before submitting this grievance.

I sent a DC-135A to Dept. Kormanik, on 07/20/03, asking that the decisions to raise my Custody Level and move me from the Honor Block be reviewed and reversed. Dept. Kormanik denied this request on 07/24/03 as is evident from the attached DC-135A.

Your grievance has been received and will be processed in accordance with DC-ADM 804.

Signature of Facility Grievance Coordinator

Date

DC-804  
Part 1COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF CORRECTIONS  
P.O. BOX 598  
CAMP HILL, PA 17001-0598

FOR OFFICIAL USE ONLY

58644  
GRIEVANCE NUMBER

TWO OF TWO

## OFFICIAL INMATE GRIEVANCE

TO: FACILITY GRIEVANCE COORDINATOR Mr. Barr	FACILITY: Albion	DATE: 08/04/07
FROM: (INMATE NAME & NUMBER) Leonard C. Jefferson, CL-4135	SIGNATURE of INMATE: <i>Leonard C. Jefferson</i>	
WORK ASSIGNMENT: CLE	HOUSING ASSIGNMENT: P/E - EC	
<b>INSTRUCTIONS:</b> 1. Refer to the DC-ADM 804 for procedures on the inmate grievance system. 2. State your grievance in Block A in a brief and understandable manner. 3. List in Block B any actions you may have taken to resolve this matter. Be sure to include the identity of staff members you have contacted.		
<b>A. Provide a brief, clear statement of your grievance. Additional paper may be used, maximum two pages.</b>  I respectfully assert that -- the staff's failure to cite/state any legitimate or constitutionally acceptable reasons to require and/or to justify its decisions to: (1) raise my Custody Level from Level 2 to Level 3, and (2) for removing me from A/A (the Honor Block) -- requires that my Custody Level be returned to Level 2, that I be returned to housing on A/A (the Honor Block), and that staff refrain from attempting to take punitive actions against me for my constitutionally protected refusal to participate in DOC programs which are neither based upon nor teach Islamic value and principles (exclusively).		
<b>B. List actions taken and staff you have contacted, before submitting this grievance.</b>  		

Your grievance has been received and will be processed in accordance with DC-ADM 804.

\_\_\_\_\_  
Signature of Facility Grievance Coordinator\_\_\_\_\_  
Date



DC-ADM 804, Inmate Grievance System

Attachment B

DC-804

COMMONWEALTH OF PENNSYLVANIA

Part 2

DEPARTMENT OF CORRECTIONS

P.O. BOX 598

CAMP HILL, PA 17001

OFFICIAL INMATE GRIEVANCE  
INITIAL REVIEW RESPONSE

GRIEVANCE NO. ALB-58644

TO: (Inmate Name & DC No.)	FACILITY	HOUSING LOCATION	GRIEVANCE DATE
JEFFERSON, Leonard CL-4135	SCI-ALBION	F/B 60	08/05/03

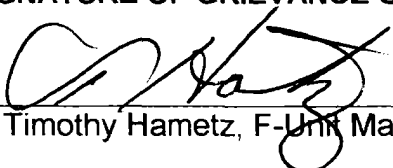
The following is a summary of my findings regarding your grievance:

Bottom line, all inmates who are housed on AA will be required to comply with their recommended programming or risk loss of honor housing. Your refusal to participate in programs is the reason you were moved off the honor unit. You would have been moved even if you were a Custody Level 2, which you are not at this time.

Resolved \_\_\_\_\_  
Inmate's Signature

Unresolved Leonard C. Jefferson  
Inmate's Signature

cc: DC-14  
Mr. Barr  
DC-15  
Unit Manager  
Inmate (original)

Print Name and Title of Grievance Officer	SIGNATURE OF GRIEVANCE OFFICER	DATE
		08/06/03
Timothy Hametz, F-Unit Manager	Timothy Hametz, F-Unit Manager	

SUMMARY JUDGMENT ATTACHMENT

10/2/03 11

## APPEAL TO SUPERINTENDENT

## GRIEVANCE

DC #	NAME	HOUSING UNIT	DATE SENT	GRIEVANCE #
CL-4155	LEONARD C. JEFFERSON	F/B	AUG. 15, 2003	ALB-58644

I received my initial response from the Grievance Officer/Coordinator on AUG. 11, 2003, and have the following appeal issues.

Refer to DC ADM 804 grievance appeal procedures for complete instructions.  
Please provide a BRIEF appeal statement.

I RESPECTFULLY ASK YOU TO REVIEW THE ISSUES WHICH ARE PRESENTED ON DC-804, PART 1 OF THIS GRIEVANCE.

WHILE THE ISSUES PRESENTED ON PART 1 INCLUDE: (1) THE USE OF A DOUBLE STANDARD WHICH CAUSED MY UNEMPLOYMENT, (2) THE DOC'S VIOLATION OF STATE AND FEDERAL CONSTITUTIONAL PROHIBITIONS AGAINST A STATE ESTABLISHED RELIGION AS THIS RELATES TO THE DOC IMPOSING PUNITIVE MEASURES UPON ME FOR MY REFUSAL TO PARTICIPATE IN DOC PROGRAMS WHICH ARE OFFENSIVE TO MY RELIGION, (3) THE EFFECT AND TREATMENT OF THE 02/12/02 MISCONDUCT AT MY 07/29/02 YEARLY REVIEW VIS-A-VIS THE EFFECT AND TREATMENT OF THE 02/12/02 MISCONDUCT AT MY 07/11/03 YEARLY REVIEW, (4) THE RAISING OF MY CUSTODY LEVEL FROM LEVEL TWO TO LEVEL THREE, AND (5) MY TRANSFER FROM A/A, A LEVEL TWO (HONOR BLOCK) HOUSING UNIT, TO F/B, A LEVEL THREE HOUSING UNIT; PLEASE NOTE THAT THE FINDINGS STATED ON PART 2 FAIL TO ADDRESS: THE USE OF A DOUBLE STANDARD, THE DOC'S VIOLATION OF THE STATE AND FEDERAL PROHIBITIONS AGAINST THE ESTABLISHMENT OF A STATE RELIGION, THE 02/12/02 MISCONDUCT'S TREATMENT AND EFFECTS AT MY YEARLY REVIEWS IN 2002 AND 2003, AND THE RAISING OF MY CUSTODY LEVEL.

THE STATEMENT ON PART 2 THAT READS: "BOTTOM LINE, ALL INMATES WHO ARE HOUSED ON A/A WILL BE REQUIRED TO COMPLY WITH THEIR RECOMMENDED PROGRAMMING OR RISK LOSS OF HONOR HOUSING. YOUR REFUSAL TO PARTICIPATE IN PROGRAMS IS THE REASON YOU WERE MOVED OFF THE HONOR UNIT." CLEARLY DEMONSTRATES THE OPERATION OF A DOUBLE STANDARD IN THIS SITUATION WHEREIN I WAS REMOVED FROM THE HONOR BLOCK DUE TO THE FACT THAT I ASSERTED MY CONSTITUTIONAL RIGHT TO REFUSE TO PARTICIPATE IN DOC PROGRAMS WHICH TEACH VALUES AND PRINCIPLES WHICH ARE OFFENSIVE TO (AND OPPOSE) THE VALUES AND PRINCIPLES OF MY RELIGION; ISLAM.

IN LIGHT OF THE FOREGOING, I RESPECTFULLY ASK THAT YOU TAKE THE APPROPRIATE STEPS TO: (1) RETURN MY CUSTODY LEVEL TO LEVEL TWO, (2) TRANSFER ME FROM F/B TO A/A (OR TO ANOTHER LEVEL TWO HOUSING UNIT) AND (3) PROHIBIT STAFF FROM TAKING, AND FROM ATTEMPTING TO TAKE, PUNITIVE ACTIONS/MEASURES AGAINST ME FOR EXERCISING MY CONSTITUTIONAL RIGHTS.

INMATE SIGNATURE: Leonard C. Jefferson

COMMONWEALTH OF PENNSYLVANIA  
Department of Corrections  
State Correctional Institution at Albion  
(814) 756-5778  
August 19, 2003

**SUBJECT: APPEAL TO SUPERINTENDENT  
GRIEVANCE # 58644**

**TO:** Leonard Jefferson  
CL-4135  
F/B

**FROM:** William J. Wolfe  
Superintendent

I have reviewed the original grievance, the Grievance Officer's response, and your appeal to this office.

You have provided no additional evidence to support your claims, and it appears to me that your grievance has been dealt with appropriately by staff.

Program participation is a factor considered in institutional adjustment.

After thorough review and evaluation, I must sustain the Grievance Officer's decision.

WJW/alt

cc: Major Colvin  
Superintendent's Assistant  
Mr. Hametz  
DC-15  
File

Leonard C. Jefferson, CL-4135  
SCI-Albion  
10745 Rt. 18  
Albion, PA 16475-0002  
August 24, 2003

Chief, Secretary's Office of Grievances and Appeals  
Department of Corrections  
2520 Lisburn Road  
Camp Hill, PA 17001-0598

RE: INMATE GRIEVANCE NO. 58644/APPEAL TO SECRETARY'S OFFICE

I respectfully request that you consider the following religious and secular law in your review of the attached documentation:

First, I am one who believes: that there is no god other than Allah, that none has a right to be worshipped or obeyed other than Allah, and that Muhammad (to whom the Qur'an was revealed) is the Messenger of Allah. I am a Muslim. The following verses from the Holy Qur'an (religious law) clearly state some of the prohibitions which preclude Muslims from participating in non-Islamic-based D.O.C. programs:

And We set you (Muslims) on a clear road of (Our) Commandments (i.e., the Qur'an): so follow it, AND DO NOT FOLLOW THE DESIRES OF THOSE WHO DO NOT KNOW. 45:18

Say: I am forbidden to worship those on whom you call instead of Allah. Say: I will not follow your desires for (if I follow your desires) I would go astray and would not be of the rightly guided. Say: I AM (following and relying) UPON CLEAR PROOF FROM MY LORD, WHILE YOU DENY HIM... 6:56-57

Second, Article One, Section Three of Pennsylvania's Constitution (secular law) states:

Religious freedom

All men have a natural and indefeasible right to worship Almighty God according to the dictates of their own conscience; NO MAN CAN OF RIGHT BE COMPELLED TO ATTEND, ERECT OR SUPPORT ANY PLACE OF WORSHIP, OR TO MAINTAIN ANY MINISTRY AGAINST HIS CONSENT; NO HUMAN AUTHORITY CAN, IN ANY CASE WHATSOEVER, CONTROL OR INTERFERE WITH THE RIGHTS OF CONSCIENCE, AND NO PREFERENCE SHALL EVER BE GIVEN BY LAW TO ANY RELIGIOUS ESTABLISHMENTS OR MODES OF WORSHIP.

All members of SCI-Albion's staff who have been involved in the issue stated in my Grievance, and with the Grievance itself, have failed to acknowledge the fact that the State and Federal Constitutions prohibit the D.O.C. from: (1) forcing inmates to participate in programming which offends the inmate's religious beliefs, and (2) from retaliating and/or taking any type of punitive action against inmates who refuse to participate in programs which present values and principles which are offensive to -- and/or outright oppose -- the values and principles of the inmate's religious beliefs. Additionally, Albion's administrators have failed to recognize that their attempts to force inmates to participate in programs (which offend the inmate's religious belief) followed by threats of punitive actions, such as removing the inmate from honor status, in the event that the inmate refuses to participate in the programs, is tantamount to: (1) the State and the D.O.C. establishing a religion, and (2) to the State and the D.O.C. giving preference, BY LAW, to the establishment of a PARTICULAR religion.

I respectfully request that, in light of the foregoing religious and secular law, that you will: (1) recognize and act in accordance with the State and federal Constitutional edicts which prohibit the D.O.C. from (a) attempting to and/or actually forcing inmates to participate in programs which are offensive to the inmate's religious beliefs, and (b) from taking retaliatory/punitive action of any kind against inmates who exercise their constitutional right to refuse to participate in D.O.C. programs/religions, (2) cause Albion's administrators to reduce my custody level from Level 3 to Level 2, (3) cause Albion's administrators to transfer me from this Level 3 Housing Unit to a Level 2 Housing Unit, and (4) prohibit D.O.C. employees from retaliating and/or from taking any punitive action against me in the future when I exercise the Constitutional Rights which have been extended to citizens who happen to be confined in Correctional Institutions.

Respectfully

cc: file

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF CORRECTIONS  
2520 LISBURN ROAD, P.O. BOX 598  
CAMP HILL, PA 17001-0598

THE SECRETARY'S OFFICE OF  
INMATE GRIEVANCES AND APPEALS

October 6, 2003

Leonard Jefferson, CL-4135  
SCI Albion

Re: DC-ADM 804 – Final Review  
Grievance No. 58644

Dear Mr. Jefferson:

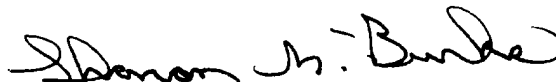
This is to acknowledge receipt of your appeal to final review of the above numbered grievance.

In accordance with the provisions of DC-ADM 804, effective May 1, 2002, I have reviewed the entire record of this grievance; including your initial grievance, the grievance officer's response, your appeal from initial review and the superintendent's response. I have also carefully reviewed the issues you raise to final review.

Upon completion of this review, it is the decision of this office to uphold the responses provided by staff at the institutional level. You were removed from the AA honor housing unit status due to your failure to comply with your prescriptive programming. Your rationale for your non-participation has no bearing on department policy and the resulting changes in your housing status. You have not been retaliated against due to your religious beliefs in this matter.

The responses provided at the institutional level are appropriate and in accordance with Department of Corrections policies and procedures. Accordingly, your appeal to final review must be denied.

Sincerely,



Sharon M. Burks  
Chief Grievance Officer

SMB/kk

cc: Superintendent Wolfe  
Grievance Office  
Central File



DC-48B

## INMATE PROGRESS REPORT

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF CORRECTIONS# CL-4135 Name JEFFERSON, LEONARD Report Period 04-01-99 TO 06-01-99Job Title VINYL APPLICATOR DOT # \_\_\_\_\_ Pay Class 3 Step DAssignment C.I. SIGN SHOP Location BUILDING (29) Date 05-07-99

Supervisor: Provide overall rating based on the factors most important to the particular job. The overall rating is NOT simply an average of ratings on specific factors.

## Definition of Ratings

EXCELLENT — consistently exceeds acceptable standards.

VERY GOOD — meets and frequently exceeds acceptable standards.

GOOD — meets and occasionally exceeds acceptable standards.

FAIR — no more than meets and occasionally falls below acceptable standards.

UNSATISFACTORY — below acceptable standards.

	Excellent	Very Good	Good	Fair	Unsatisfactory
<b>JOB PERFORMANCE</b>					
Quality of Work	<u>X</u>				
Quantity of Work	<u>X</u>				
Use of Working Time	<u>X</u>				
Care of Working Area	<u>X</u>				
Handling of Tools and Equipment	<u>X</u>				
Use of Materials	<u>X</u>				
Progress in Use of Training and Instruction	<u>X</u>				
Work Effort in Relation to Potential	<u>X</u>				
<b>ATTITUDE AND RELATIONSHIPS</b>					
Towards Peers		<u>X</u>			
Towards Supervisor		<u>X</u>			
Towards Job	<u>X</u>				
Towards Constructive Criticism		<u>X</u>			
<b>PERSONAL CHARACTERISTICS</b>					
Dependability (includes attendance)	<u>X</u>				
Initiative	<u>X</u>				
Acceptance of Responsibility	<u>X</u>				
Personal Appearance		<u>X</u>			
Behavior on the Job	<u>X</u>				
<b>SAFETY</b>					
Observation of Safety Rules	<u>X</u>				
Accident Record	<u>X</u>				
<b>OVERALL RATING</b>					
	<u>X</u>				

Officer's Signature

Date

Supervisor's Signature

Date

SUMMARY JUDGMENT ATTACHMENT

Inmate's

Leonard P. JeffersonCL-4135

Date

5-19-99

17

DC-48B

PLEASE RETURN TO M. SNIDER(AB)  
WHEN COMPLETED  
INMATE PROGRESS REPORT

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF CORRECTIONS

# 044135 Name LEONARD JEFFERSON Report Period \_\_\_\_\_  
Job Title CLERK DOT # \_\_\_\_\_ Pay Class \_\_\_\_\_ Step \_\_\_\_\_  
Assignment MCQUOWN Location CHAPEL Date \_\_\_\_\_

Supervisor: Provide overall rating based on the factors most important to the particular job. The overall rating is NOT simply an average of ratings on specific factors.

Definition of Ratings

EXCELLENT — consistently exceeds acceptable standards.  
VERY GOOD — meets and frequently exceeds acceptable standards.  
GOOD — meets and occasionally exceeds acceptable standards.  
FAIR — no more than meets and occasionally falls below acceptable standards.  
UNSATISFACTORY — below acceptable standards.

	Excellent	Very Good	Good	Fair	Unsatisfactory
<b>JOB PERFORMANCE</b>					
Quality of Work	<input checked="" type="checkbox"/>				
Quantity of Work		<input checked="" type="checkbox"/>			
Use of Working Time	<input checked="" type="checkbox"/>				
Care of Working Area	<input checked="" type="checkbox"/>				
Handling of Tools and Equipment		<input checked="" type="checkbox"/>			
Use of Materials		<input checked="" type="checkbox"/>			
Progress in Use of Training and Instruction		<input checked="" type="checkbox"/>			
Work Effort in Relation to Potential	<input checked="" type="checkbox"/>				
<b>ATTITUDE AND RELATIONSHIPS</b>					
Towards Peers		<input checked="" type="checkbox"/>			
Towards Supervisor	<input checked="" type="checkbox"/>				
Towards Job	<input checked="" type="checkbox"/>				
Towards Constructive Criticism	<input checked="" type="checkbox"/>				
<b>PERSONAL CHARACTERISTICS</b>					
Dependability (includes attendance)	<input checked="" type="checkbox"/>				
Initiative		<input checked="" type="checkbox"/>			
Acceptance of Responsibility	<input checked="" type="checkbox"/>				
Personal Appearance	<input checked="" type="checkbox"/>				
Behavior on the Job	<input checked="" type="checkbox"/>				
<b>SAFETY</b>					
Observation of Safety Rules	<input checked="" type="checkbox"/>				
Accident Record		<input checked="" type="checkbox"/>			
<b>OVERALL RATING</b>					
		<input checked="" type="checkbox"/>			

Officer's Signature

Date

Supervisor's Signature

Date

SUMMARY JUDGMENT ATTACHMENT

Inmate's Signature Leonard C Jefferson # CL 4135 Date 6/11/01 18

Inmate Name	LEONARD JEFFERSON	DC Number	CL4135
Housing Assignment	A/A	Date	6/7/01
Reason for Review	ANNUAL REVIEW		

Please rate the inmate on each of the following behaviors by checking the appropriate rating.

FACTOR	Most of time (above avg.)		Usually (average)		Sometimes (below avg.)		Seldom (poor)	
	AM	PM	AM	PM	AM	PM	AM	PM
Relates well with, and is courteous to, other inmates			✓	✓				
Cooperative and courteous to staff			✓	✓				
Prompt for all line movements			✓	✓				
Obeys written and verbal orders			✓	✓				
Proceeds directly to and from cell/bunk without loitering		✓	✓					
Refrains from loud behavior in housing unit		✓	✓					
Gets up on time		✓	✓					
Maintains good personal hygiene and properly maintains all state-issued property		✓	✓					
Follows inmate dress code			✓	✓				

Comparative Rating (Check One)

Compared to other inmates within the same housing unit, this inmate behaves:

- ☒ Better  
☒ The Same  
☐ Worse

Leisure Time: (Check all descriptions that fit this inmate's use of leisure time.)

- ☒ Spends time alone in cell.  
☐ Engages in disruptive activities.

- ☒ Socializes with others.  
☐ Participates in officially sanctioned activities (e.g.: team sports).

( ) Other - Specify:

SUMMARY JUDGMENT ATTACHMENT

Special Areas (Circle the number which is most appropriate, where 5=always, 4=usually, 3=sometimes, 2=seldom, and 1=never):

Uses non-abusive language to others:	5	4	3	2	1
Follows telephone rules:	5	4	3	2	1
Is assertive w/o dominating others:	5	4	3	2	1
Resolves anger appropriately:	5	4	3	2	1
Is receptive to criticism:	5	4	3	2	1
Is considerate of others' needs:	5	4	3	2	1
Maintains cheerful mood:	5	4	3	2	1

Overall Rating (Check one): ☐ Above avg. ☒ Avg. ☐ Below avg.  
☐ Poor

Comments: Please provide any comments you have about the inmate, in regard to positive, significantly improved, or negative behavior. Also consider what kind of programming might benefit the inmate to address these concerns. Specific recommendations, regarding associated staffing reasons (e.g.: pre-release or trustee status) are also encouraged. Comments from many unit staff may be included.

PM: Inmate Jefferson is very quiet on the unit. Interacts with a few inmates. Only recently has he finally started to interact with the officer.

AM: NO PROBLEM ON UNIT.

Kindle CO1  
Housing Officer Signature

6-9-01  
Date

CO1 A. Graham  
Housing Officer Signature

6/8/01  
Date

[Signature]  
Housing Officer Signature

6/11/01  
Date

[Signature]  
Housing Officer Signature

6/11/01  
Date

Instructions: The Housing Performance Report shall be completed at the time of each classification action via PACT (at least once per year). It is not intended to replace ers cards. Input from at least two different C.O. shifts is mandatory, and the gs should be the product of consensus of housing unit staff members. The elor shall be responsible for reviewing housing performance with the subject e, as well as seeing that a copy of this form is attached to related PACT als in casework and records files. The UNIT Manager is responsible for the ll Rating.

## HOUSING PERFORMANCE REPORT

Inmate Name	LEONARD JEFFERSON	DC Number	24135
Housing Assignment	A/A	Date	6/15/02
Reason for Review	Annual Review		

Please rate the inmate on each of the following behaviors by checking the appropriate rating.

FACTOR	Most of time (above avg.)		Usually (average)		Sometimes (below avg.)		Seldom (poor)	
	AM	PM	AM	PM	AM	PM	AM	PM
Relates well with, and is courteous to, other inmates	✓	✓						
Cooperative and courteous to staff	✓	✓						
Prompt for all line movements	✓	✓						
Obeys written and verbal orders	✓	✓						
Proceeds directly to and from cell/bunk without loitering	✓	✓						
Refrains from loud behavior in housing unit	✓	✓						
Gets up on time	✓	✓						
Maintains good personal hygiene and properly maintains all state-issued property	✓	✓						
Follows inmate dress code	✓	✓						

Comparative Rating (Check One)

Compared to other inmates within the same housing unit, this inmate behaves:

- ( ) Better  
 (✓) The Same  
 ( ) Worse

Leisure Time: (Check all descriptions that fit this inmate's use of leisure time.)

- ( ) Spends time alone in cell. (✓) Socializes with others.  
 ( ) Engages in disruptive activities. (✓) Participates in officially sanctioned activities (e.g.: team sports).

( ) Other - Specify:

SUMMARY JUDGMENT ATTACHMENT

SIDE ONE OF TWO



Special Areas (Circle the number which is most appropriate, where 5=always, 4=usually, 3=sometimes, 2=seldom, and 1=never):

Uses non-abusive language to others:	(5)	4	3	2	1
Follows telephone rules:	5	(4)	3	2	1
Is assertive w/o dominating others:	5	4	(3)	2	1
Resolves anger appropriately:	5	(4)	3	2	1
Is receptive to criticism:	5	(4)	3	2	1
Is considerate of others' needs:	5	(4)	3	2	1
Maintains cheerful mood:	5	(4)	3	2	1

Overall Rating (Check one): ( ) Above avg. (X) Avg. ( ) Below avg.  
( ) Poor

Comments: Please provide any comments you have about the inmate, in regard to positive, significantly improved, or negative behavior. Also consider what kind of programming might benefit the inmate to address these concerns. Specific recommendations, regarding associated staffing reasons (e.g.: pre-release or trustee status) are also encouraged. Comments from many unit staff may be included.

*Couldn't ask for a more well behaved individual*

*Pm. Quiet No Problem*

*A.J. Magretto* COT  
A.M. Housing Officer Signature

*6-15-02*  
Date

*T. [Signature]* COT  
P.M. Housing Officer Signature

*6/18/02*  
Date

*[Signature]*  
Counselor Signature

*6/19/02*  
Date

*PMCK*  
Unit Manager Signature

*6/20/02*  
Date

Instructions: The Housing Performance Report shall be completed at the time of each classification action via PACT (at least once per year). It is not intended to replace quarters cards. Input from at least two different C.O. shifts is mandatory, and the ratings should be the product of consensus of housing unit staff members. The Counselor shall be responsible for reviewing housing performance with the subject inmate, as well as seeing that a copy of this form is attached to related PACT materials in casework and records files. The UNIT Manager is responsible for the Overall Rating.

"T" TWO OF TWO



JAN-30-2007 15:55 FROM:SCI-ALBION 814-7569735


TO:814125653019

P:2/3

**COMMONWEALTH OF PENNSYLVANIA**  
**Department of Corrections**  
**State Correctional Institution at Albion**  
 (814) 756-5778  
 July 22, 2002

**SUBJECT: INMATE PEER LEADERS**

**TO:** William J. Wolfe  
 Superintendent

**FROM:**   
 V. L. Kormanic  
 Deputy Superintendent  
 Centralized Services


The following inmates are recommended to be peer leaders to assist in facilitating Islamic Classes. Imam Abdalla will be physically present coordinating and supervising these classes.

**PEER LEADERS ISLAMIC CLASSES**

L. Jefferson	CL-4135	A/A
C. Swinton	EM-5492	B/A
E. Small	AM-9183	A/A
C. Lansdowne	CY-2792	B/B
H. Matthews	EB-5143	F/A

VLK/bjb

cc: C.C.P.M. ~~FB~~  
 F.C.P.D. ~~pm~~  
 Imam Elhafiz Abdalla  
 file

Approved: 

Not Approved: \_\_\_\_\_

Date: 7-26-02

"Our mission is to protect the public by confining persons committed to our custody in safe, secure facilities, and to provide opportunities for inmates to acquire the skills and values necessary to become productive law-abiding citizens; while respecting the rights of crime victims"

**HOUSING PERFORMANCE REPORT**DC#: CL4135 Inmate Name: Jefferson, Leonard Date: 6/25/05Housing Assignment: AB AA Reason for Review: **ANNUAL REVIEW**

Housing Officers from two shifts shall rate the inmate on each of the following behaviors by checking the appropriate rating.

FACTOR	Most of Time (Above Average)			Usually (Average)			Sometimes (Below Average)			Seldom (Poor)		
	6-2	2-10	Other	6-2	2-10	Other	6-2	2-10	Other	6-2	2-10	Other
Relates well with, and is courteous to, other inmates.		X		X								
Cooperative and courteous to staff	X	X										
Prompt for all line movements and events*	X	X										
Obeys written and verbal orders	X	X										
Proceeds directly to and from cell without loitering	X	X										
Refrains from loud behavior in housing unit	X	X										
Gets up on time*	X	X										
Maintains good personal hygiene and clean living area, and properly maintains all State property.	X	X										
Follows inmate dress code	X	X										

\*Omit if in RHU status.

Compared to other inmates in the same housing unit, this inmate behaves:

	Better	Same	Worse	Signature and Date
6-2	X			J. Ryan 7-4-03
2-10	X			E. R. G. Som 7-3-03
Other				

Unit Manager's Overall Rating:

(✓) Above Average ( ) Average

( ) Below Average ( ) Poor

Unit Manager's Signature and Date

Comments:

**SUMMARY JUDGMENT ATTACHMENT**

Hope from Allah, while they<sup>620</sup>  
Have none. And Allah  
is full of knowledge and wisdom.

وَرَجُونَ مِنَ اللَّهِ مَا لَا يَرْجُونَ  
وَكَانَ اللَّهُ عَلِيمًا حَكِيمًا

C. 66. — Beware of treachery, that would use  
(4:105-126.) The good and pious for its wicked  
Ends: its plots will but recoil  
On its own head. The righteous  
Have no cause for secrecy, except  
In doing good. 'Tis evil that  
Misleads, deceives, and even dares  
Deface fair Nature, as by Allah  
Created. Shun all evil, and be firm  
In righteousness and faith in Allah.

## SECTION 16.

105. **لَا تَجِدُ** have sent down  
To thee the Book in truth,  
That thou mightest judge  
Between men, as guided  
By Allah: so be not (used)  
As an advocate by those  
Who betray their trust;<sup>621</sup>

لَا تَجِدُ بَيْنَ النَّاسِ بِكَ آيَاتَ اللَّهِ  
وَلَا تَكُنْ لِلظَّالِمِينَ حَافِظًا

106. But seek the forgiveness  
Of Allah; for Allah is  
Of-Forgiving, Most Merciful.

وَاسْتَغْفِرِ اللَّهَ  
إِنَّ اللَّهَ كَانَ غَفُورًا رَحِيمًا

107. Contend not on behalf  
Of such as betray

وَلَا تَجِدُ عَنِ الَّذِينَ يَخْتَلُونَ

620. Religion should be a source of strength and not of weakness in all our affairs. If we have to struggle hard and suffer hardships, those without faith have to do the same, with this difference, that the man of Faith is full of hope in Allah, whereas the man without faith has nothing to sustain him.

621. The Commentators explain this passage with reference to the case of Tā'imah ibn Ubayraq, who was nominally a Muslim but really a hypocrite, and given to all sorts of wicked deeds. He was suspected of having stolen a set of armour, and when the trail was hot, he planned the stolen property in the house of a Jew, where it was found. The Jew denied the charge and accused Tā'imah, but the sympathies of the Muslim community were with Tā'imah on account of his nominal profession of Islam. The case was brought to the Prophet, who acquitted the Jew according to the strict principle of justice, as "guided by Allah". Attempts were made to prejudice him and deceive him into using his authority to favour Tā'imah. When Tā'imah realized that his punishment was imminent he fled and turned apostate. (R).

The general lesson is that the righteous man is faced with all sorts of subtle wiles: the wicked will try to appeal to his highest sympathies and most honourable motives to deceive him and use him as an instrument for defeating justice. He should be careful and cautious, and seek the help of Allah for protection against deception and for firmness in dealing the strictest justice without fear or favour. To do otherwise is to betray sacred trust: the trustee must defeat all attempts made to mislead him.

Their own souls;<sup>622</sup>  
For Allah loveth not  
One given to perfidy  
And crime;

أَنفُسِهِمْ إِنَّ اللَّهَ لَا يُحِبُّ  
مَنْ كَانَ خَوَّانًا أَثِيمًا

108. They may hide  
(Their crimes) from men,  
But they cannot hide  
(Them) from Allah, seeing that  
He is with them  
When they plot by night,  
In words that He cannot  
Approve; and Allah  
Doth compass round<sup>623</sup>  
All that they do.

يَسْتَعْصِمُونَ مِنَ النَّاسِ  
وَلَا يَسْتَعْصِمُونَ مِنَ اللَّهِ وَهُمْ يَعْلَمُونَ  
إِذْ يَتْلُونَ مَا لَا يُرْضَى مِنَ الْقَوْلِ  
وَكَانَ اللَّهُ يَحْكُمُونَ بَاطِلًا

109. Ah! these are the sort  
Of men on whose behalf  
Ye may contend in this world;  
But who will contend with Allah  
On their behalf on the Day  
Of Judgement, or who  
Will carry their affairs through?

هَؤُلَاءِ هُمُ الَّذِينَ جَاءَتْهُمْ آيَاتُ اللَّهِ  
فِي الْحَيَاةِ الدُّنْيَا فَهُمْ يَحْجِدُونَ اللَّهَ  
أَلْفَيْدَةً أَمْ مَنْ يَكُونُ عَلَيْهِمْ وَكَيْلًا

110. If anyone does evil  
Or wrongs his own soul  
But afterwards seeks  
Allah's forgiveness, he will find  
Allah Of-Forgiving,  
Most Merciful.

وَمَنْ يَعْمَلْ سُوءًا  
أَوْ يَظِلْمْ نَفْسًا، ثُمَّ يَسْتَغْفِرِ اللَّهَ  
يَجِدِ اللَّهَ غَفُورًا رَحِيمًا

111. And if any one earns<sup>624</sup>

وَمَنْ يَكْسِبْ

622. Our souls are a sort of trust with us. We have to guard them against all temptation. Those who surrender to crime or evil, betray that trust. We are warned against being deceived into taking their part, induced either by plausible appearances, or by such incentives to partiality as that they belong to our own people or that some link connects them with us, whereas when we are out to do justice, we must not allow any irrelevant considerations to sway us.

623. The plots of sinners are known fully to Allah, and He can fully circumvent them if necessary, according to the fulness of His wisdom. The words used are: *Compass them round: mahāṭṭ*; not only does Allah know all about it, but He is all round it: it is His wisdom He allows it, it is not because He has not complete control over it, but because, having it as it were enclosed in a complete circle, He can use it to further His own Plan. Even out of evil He can bring good.

624. *Kasaba*=to earn, to gain, to work for something valuable, to lay up a provision for the future life. We do a day's labour to earn our livelihood: so in a spiritual sense, whatever good or evil we do in this life, earns us good or evil in the life to come. In verses 110-112 three cases are considered: (1) if we do ill, and repent, Allah will forgive; (2) if we do ill and do not repent, thinking that we can hide it, if we are wrong, nothing is hidden from Allah, and we shall suffer the full consequences in the life to come, for we can never evade our personal responsibility; (3) if we do ill, great or small, and impune it to another, our original responsibility for the ill remains, but we add to it something else; for we tie round our necks the guilt of falsehood, which converts even our minor fault into a great sin, and in any case brands us even in this life with shame and ignominy.

Adjusted; and all life lived  
In faith, charity, and kindness sincere  
To all our fellow-creatures.

## SECTION 3.

## 15. If any of your women

Are guilty of lewdness,<sup>523</sup>  
Take the evidence of four<sup>524</sup>  
(Reliable) witnesses from  
amongst you  
Against them; and if they  
testify,  
Confine them to houses until  
Death do claim them,  
Or Allah ordain for them  
Some (other) way.<sup>525</sup>

وَالَّذِي يَأْتِيكَ الْفَاحِشَةُ بَيْنَ  
نَفْسَيْكُمْ فَاسْتَشْهِدُوا عَلَيْهَا أَرْبَعَةً  
مِنْكُمْ فَإِنْ شَهِدُوا فَأَمْسِكُوهُنَّ فِي  
الْبُيُوتِ حَتَّى يَتَوَفَّيَنَّ اللَّهُ لَهُنَّ  
أَوْ يَجْعَلَ اللَّهُ لَهُنَّ سَبِيلًا

16. If two men among you  
Are guilty of lewdness,  
Punish them both.  
If they repent and amend,  
Leave them alone; for Allah  
Is Oft-Returning, Most  
Merciful.

وَالَّذَانِ يَأْتِيَانِيَا مِنْكُمْ فَإِنْ  
فَاتَاكُمَا وَأَصْلَحَا فَأَنْزِعُوهُمَا  
إِنَّ اللَّهَ كَانَ تَوَّابًا رَحِيمًا

17. Allah accepts the repentance  
Of those who do evil

In ignorance and repent  
Soon afterwards; to them  
Will Allah turn in mercy:  
For Allah is full of knowledge  
And wisdom.

إِنَّمَا التَّوْبَةُ عَلَى اللَّهِ لِلَّذِينَ يَعْمَلُونَ  
السُّوءَ بِغَیْهِمْ ثُمَّ يَتُوبُونَ مِنْ قَرِيبٍ فَأُوَاطَّيَقَ  
يُؤْتِي اللَّهُ عَلَيْهِمْ وَكَانَ اللَّهُ عَلِيمًا حَكِيمًا

## 18. Of no effect is the repentance

وَلَيْسَتِ التَّوْبَةُ

523. Most commentators understand this to refer to adultery or fornication: in that case they consider that the punishment was altered to 100 stripes by the later verse, 24:2. But I think it refers to unnatural crime between women, analogous to unnatural crime between men in 4:16 below; because (1) no punishment is specified here for the man, as would be the case where a man was involved in the crime; (2) the word, *al la'i*, the purely feminine plural of *al la'i*, is used for the parties to the crime; (3) the punishment is indefinite: see the next note but one.

524. To protect the honour of women, stricter evidence is required, i.e., the evidence of four instead of the usual two witnesses. It is the same for adultery (see 24:4).

525. Keep them in prison until some definite order is received. Those who take the crime to be adultery or fornication construe this definite order ('some other way') to mean some definite pronouncement by the Prophet under inspiration: this was the punishment of flogging under 24:2, for fornication, and stoning to death under the Prophet's directives for adultery. If we understand the crime to be unnatural crime, we might presume, in the absence of any definite order ('some other way') that the punishment would be similar to that for men in the next verse. The Prophet's Sunnah has prescribed capital punishment although the exact method is left indefinite. (D)

Of those who continue<sup>526</sup>  
To do evil, until Death  
Faces one of them, and he says,  
"Now have I repented indeed!"  
Nor of those who die  
Rejecting Faith; for them  
Have we prepared  
A punishment most grievous.

## 19. (D) ye who believe!

Ye are forbidden to inherit  
Women against their will.<sup>527</sup>  
Nor should ye treat them  
With harshness, that ye may  
Take away part of the dower<sup>528</sup>  
Ye have given them — except  
Where they have been guilty  
Of open lewdness:  
On the contrary live with them  
On a footing of kindness and  
equity.  
If ye take a dislike to them  
It may be that ye dislike  
A thing, and Allah brings about  
Through it a great deal of good.

## 20. But if ye decide to take

One wife in place of another,  
Even if ye had given the latter  
A whole treasure<sup>529</sup> for dower,  
Take not the least bit of it back;  
Would ye take it by slander  
And a manifest wrong?

21. And how could ye take it  
When ye have gone in  
Unto each other, and they have  
Taken from you a solemn  
covenant?

526. Note the fine touch. A sin may be fashionable, and people may sin together without compunction. When one of them is faced with Death, he repents, but that sort of repentance is no good.

527. Among many nations, including Arabs in the Days of Ignorance, a step-son or brother took possession of a dead man's widow or widows along with his goods and chattels. This shameful custom is forbidden. See also 4:22 below.

528. Another trick, to detract from the freedom of married women was to treat them badly and force them to sue for a *Khul'*, a divorce (see 2:229, n. 258) or its equivalent in pre-Islamic custom, when the dower could be claimed back. This is also forbidden. Or the harshness may be exercised in another way: a divorced woman may be prevented by those who have control of her, from re-marrying unless she remits her dower. All kinds of harshness are forbidden.

529. Treasure: *Qinār* = a talent of gold: see 3:14, first note.

لِالَّذِينَ يَحْمِلُونَ الزُّنُوحَ وَحَتَّى إِذَا  
حَضَرَ أَحَدَهُمُ الْمَوْتُ قَالَ إِنِّي بُدِّلْتُ الْقَتْلَ  
وَلَا الَّذِينَ يَمُوتُونَ وَهُمْ كَقَارٍ  
أُوتِيكَ أَصْحَابُكُمْ عَذَابًا أَلِيمًا

يَا أَيُّهَا الَّذِينَ آمَنُوا لَا يَحِلُّ لَكُمْ  
أَنْ تَرِثُوا النِّسَاءَ كَرِهًا وَلَا تَعْضِلُوهُنَّ لِتَذْهَبُوا  
بِبَعْضِ مَا أَكْتَسَبْتُمُوهُنَّ إِلَّا أَنْ يَبَيِّنَ بَعْضُهُنَّ  
مِنْكُمْ وَعَلَى مَرْوَةٍ بِالْمَعْرُوفِ  
فَإِنْ كَرِهْتُمُوهُنَّ فَعَسَى أَنْ تَكْرَهُوا شَيْئًا  
وَيَجْعَلَ اللَّهُ فِيهِ خَيْرًا كَثِيرًا

وَإِنْ أَرَدْتُمْ نِسَاءً لَمْ تَرْجِعْ مَسَكَاتَ  
زَوْجٍ وَأَنْتُمْ تَعْلَمُونَ وَظَلَمْنَاكُمْ فَلا تَعْلَمُوا  
وَمَنْ سَبَّحْتَ النَّاسَ أَخَذُوكُمْ بِهِ سَبًّا وَإِنَّمَا مِنْكُمْ

وَكَيْفَ تَأْخُذُوهُ وَقَدْ أَفْضَيْتُمْ بِهِ كَيْفَ  
إِلَى بَعْضِ وَأَخَذْتُ مِنْكُمْ مِيثَاقًا ظَاهِرًا

Nor earned righteousness  
Through its Faith. Say:  
"Wait ye: we too  
Are waiting."<sup>984</sup>

أَوْ كَسِبَتْ فِي إِيمَانِكُمْ صَبْرًا  
قُلْ إِنِّي وَأَنْتَ إِنَّمَا مَسْتَظِرُونَ

159. As for those who divide<sup>985</sup>

Their religion and break up  
Into sects, thou hast  
No part in them in the least:  
Their affair is with Allah:  
He will in the end  
Tell them the truth  
Of all that they did.

قُلْ إِنَّا لِلَّهِ وَأَنْتَ لِلَّهِ فِئَتٌ مِّنْهُ  
وَكُلُوا مِن مَّا خَلَقَ لَكُمْ فِي أَنْفُسِكُمْ  
إِنَّمَا أَمْرُهُمْ إِلَى اللَّهِ  
يُنَبِّئُهُمْ بِمَا كَانُوا يَفْعَلُونَ

160. He that doeth good

Shall have ten times  
As much to his credit:  
He that doeth evil  
Shall only be recompensed  
According to his evil:<sup>986</sup>  
No wrong shall be done  
Unto (any of) them.

مَن جَاءَ بِالْحَسَنَةِ فَلَهُ عَشْرَ أَمْثَالِهَا  
وَمَن جَاءَ بِالسَّيِّئَةِ فَلَا يُجْزَى إِلَّا أَثْمَلُهَا  
وَهُم لَا يَظْلُمُونَ

161. Say: "Verily, my Lord

Hath guided me to  
A Way that is straight—  
A religion of right—  
The Path (trod) by Abraham  
The true in faith,  
And he (certainly)  
Joined not gods with Allah."

قُلْ إِنِّي هَدَىٰ رَبِّي إِلَى صِرَاطٍ  
مُسْتَقِيمٍ دِينًا قِيَمًا مِّلَّةَ إِبْرَاهِيمَ حَنِيفًا  
وَمَا كَانَ مِنَ الْمُشْرِكِينَ

162. Say: "Truly, my prayer

And my service of sacrifice,  
My life and my death,  
Are (all) for Allah,  
The Cherisher of the Worlds;

قُلْ إِن صَلَاتِي وَنُسُكِي وَمَحْيَايَ  
وَمَمَاتِي لِلَّهِ رَبِّ الْعَالَمِينَ

984. The waiting in the two cases is in quite different senses: the foolish man without faith is waiting for things which will not happen, and is surprised by the real things which do happen; the righteous man of faith is waiting for the fruits of righteousness, of which he has an assured hope: in a higher state of spiritual elevation, even the fruits have no personal meaning to him, for Allah is to him All-in-All: 6:162.

985. *Divide their religion*: (*farraqū*) i.e., (1) make a distinction between one part of it and another, take the part which suits them and reject the rest; or (2) have religion one day of the week and the world the rest of the six days; or (3) keep "religion in its right place" as if it did not claim to govern the whole life; make a sharp distinction between the secular and the religious; or (4) show a sectarian bias, seek differences in views, so as to break up the unity of Islam.

986. Allah is just as well as generous. To the good, the reward is multiplied ten times (i.e., far above merits) on account of His generosity. To the evil, the punishment is no more than commensurate with their sin, and even so the door of mercy is always open to those who sincerely repent and show it by their conduct.

163. No partner hath He:  
This am I commanded,  
And I am the first  
Of those who bow  
To His Will.

لَا شَرِيكَ لَدَّوْدَ إِلَّا إِلَهُنَّ  
وَأَنَا أَوَّلُ الْمُسْلِمِينَ

164. Say: "Shall I seek

For (my) Cherisher  
Other than Allah,  
When He is the Cherisher  
Of all things (that exist)?  
Every soul draws the meed  
Of its acts on none<sup>987</sup>  
But itself: no bearer  
Of burdens can bear  
The burden of another.  
Your goal in the end  
Is towards Allah: He will tell  
You the truth of the things  
Wherein ye disputed."

قُلْ أَغَيْرَ اللَّهِ أُبْتَغَىٰ رِبًا  
وَهُوَ رَبُّ كُلِّ شَيْءٍ  
وَلَا تَكُن مِّنَ الْغَافِلِينَ  
قُلْ تَقِيْمُوا أَعْيُنَكُمْ  
وَلَا تَزِرُ وَازِرَةٌ وِزْرَ أُخْرَىٰ  
يَوْمَ لَنُكَفِّرَنَّ عَنْكُمْ سَيِّئَاتِكُمْ  
وَنُنَجِّيَنَّكُمْ مِّنَ الْعَذَابِ

165. It is He Who hath made

You (His) agents, inheritors<sup>988</sup>  
Of the earth: He hath raised  
You in ranks, some above  
Others: that He may try you  
In the gifts He hath given you:  
For thy Lord is quick  
In punishment: yet He  
Is indeed Oft-Forgiving,  
Most Merciful.

وَهُوَ الَّذِي جَعَلَكُمْ  
خَلَائِفَةً الْأَرْضِ وَرَفَعَ بَعْضَكُمْ فَوْقَ  
بَعْضٍ دَرَجَاتٍ لِّتَبْلُغُوا فِي مَعَارِفِكُمْ  
إِنَّ رَبَّكَ سَرِيعُ الْعَقَابِ  
وَأَنذَرْتُكُمْ رَجْزَ الْغَمَامِ

987. The doctrine of personal responsibility again. We are fully responsible for our acts ourselves, we cannot transfer the consequences to someone else. Nor can anyone vicariously atone for our sins. If people have honest doubts or differences about important questions of religion, they should not start futile disputes. All will be clear in the end. Our duty here is to maintain unity and discipline, and do the duty that comes to us.

988. Cf. 2:30 and n., where I have translated "Khalifah" as "Vicegerent", it being Allah's Plan to make Adam (as representing mankind) His vicegerent on earth. In C. 1, I have construed the same word by the word "Agent." Another idea implied in "Khalifah" is that of "successor; heir, or inheritance" i.e., one who has the ultimate ownership after the present possessors, to whom a life tenancy has been given by the owner, have passed away. In 15:23 occurs the striking word, "heirs" (*waṭirāḥin*), applied to Allah: "We give life and death, and We are the Heirs (or Inheritors)." The same idea occurs in 3:180, where see n. 485. The translation here attempts to express both the ideas which I understand from the original.



Behold, they give not a farthing<sup>575</sup>  
To their fellow-men?

54. Or do they envy mankind  
For what Allah hath given them  
Of His bounty? But We

Had already given the people  
Of Abraham the Book  
And Wisdom, and conferred  
Upon them a great kingdom.<sup>576</sup>

55. Some of them believed,  
And some of them averred  
Their faces from him, and enough  
Is Hell for a burning fire.<sup>577</sup>

56. Those who reject  
Our Signs, We shall soon  
Cast into the Fire;  
As often as their skins  
Are roasted through,  
We shall change them  
For fresh skins,  
That they may taste  
The Penalty: for Allah  
Is Exalted in Power, Wise.

57. But those who believe  
And do deeds of righteousness,  
We shall soon admit to Gardens,  
With rivers flowing beneath—  
Their eternal home;  
Therein shall they have  
Companions pure and holy:<sup>578</sup>  
We shall admit them  
To shades, cool and ever  
deepening.<sup>579</sup>

575. The word I have translated *farthing* is *naqir*, the groove in a date stone, a thing of no value whatever. Close-fistedness and envy are among the worst forms of selfishness, and appear specially incongruous in people of power, authority, or influence, from whom is expected generosity in giving and generosity in seeing other people's prosperity or happiness.

576. Such as the kingdoms of David and Solomon, for they had international fame.

577. Envy is like the eternal fire, which is in itself a hell.

578. Cf. 2:25 and n. 44.

579. The Garden is contrasted with the Fire: the shade is contrasted with the roasting. Evil grows with what it feeds on. So goodness and felicity grow with their practice. The good may be alone to start with, but (unlike evil ones) they get Holy Companions. Just as agony increases with what it suffers (typified by fresh skins growing as the old ones burn out), so felicity finds deeper and deeper meaning (typified by the shades in a garden, which grow deeper and cooler as you proceed into the interior).

فَأَن لَّيُؤْتُوا النَّاسَ نَقِيرًا

﴿٥٤﴾ أَمْ يَحْسُدُونَ النَّاسَ عَلَى مَا آتَاهُمُ اللَّهُ

مِنْ فَضْلِهِ فَقَدْ آتَيْنَا آلَ إِبْرَاهِيمَ الْكِتَابَ

وَالْحِكْمَةَ وَآتَيْنَاهُمُ الزَّكَاةَ طَيِّبَاتًا

﴿٥٥﴾ فَمِنْهُمْ مَنْ آمَنَ بِهِ وَمِنْهُمْ مَنْ

صَدَّ عَنْهُ وَكَفَى بِجَحَنَّمَ سَعِيرًا

﴿٥٦﴾ إِنَّا الَّذِينَ كَفَرُوا بِآيَاتِنَا سَوَاءٌ

نُصَلِّبُهُمْ ثَارًا كَمَا يُصَلِّبُ جُلُودُهُمْ

بَدَلْنَاهُمْ جُلُودًا غَيْرَهَا لِيَذُوقُوا الْعَذَابَ

﴿٥٧﴾ إِنَّ اللَّهَ كَانَ عَزِيزًا حَكِيمًا

﴿٥٨﴾ وَالَّذِينَ آمَنُوا وَصَلُّوا أَلْتَّصَلَّيْكَتِ

سُنَدٌ جُلُودُهُمْ جَنَّتْ تَجْرِي مِنْ تَحْتِهَا الْأَنْهَارُ

حَدَّائِينَ فِيهَا أَبَدًا قُلْهُمْ فِيهَا أَزْوَاجٌ مُطَهَّرَةٌ

وَنُدْجِلُهُمْ ظِلًّا ظَلِيلًا

58. Allah doth command you  
To render back your Trusts  
To those to whom they are due:

And when ye judge  
Between man and man,  
That ye judge with justice:

Verily how excellent  
Is the teaching which He giveth  
you!

For Allah is He Who heareth  
And seeth all things.

59. O ye who believe!  
Obey Allah, and obey the  
Messenger,

And those charged  
With authority among you.<sup>580</sup>

If ye differ in anything  
Among yourselves, refer it  
To Allah and His Messenger,  
If ye do believe in Allah  
And the Last Day:  
That is best, and most suitable  
For final determination.

#### SECTION 9.

60. Hast thou not turned  
Thy vision to those?<sup>581</sup>  
Who declare that they believe  
In the revelations  
That have come to thee  
And to those before thee?  
Their (real) wish is  
To resort together for judgement  
(In their disputes)  
To the Evil One,  
Though they were ordered  
To reject him.  
But Satan's wish

﴿٥٨﴾ إِنَّ اللَّهَ يَأْمُرُكُمْ أَنْ تُؤَدُّوا الْأَمَانَاتِ

إِلَى أَهْلِهَا وَإِذَا حُكِمْتُمْ بَيْنَ النَّاسِ

أَنْ تَحْكُمُوا بِالْعَدْلِ

﴿٥٩﴾ إِنَّ اللَّهَ يَأْمُرُكُمْ بِطَوَّابِهِ

﴿٦٠﴾ إِنَّ اللَّهَ كَانَ سَمِيعًا بَصِيرًا

﴿٦١﴾ يَا أَيُّهَا الَّذِينَ آمَنُوا أَطِيعُوا اللَّهَ

وَاطِيعُوا الرَّسُولَ وَأُولِي الْأَمْرِ مِنْكُمْ

﴿٦٢﴾ فَإِنْ تَخَافُمْ فِي شَيْءٍ مِنْ فُتُوهِ إِلَى اللَّهِ وَالرَّسُولِ

إِنْ كُنْتُمْ تُحِبُّونَ اللَّهَ وَالْيَوْمَ الْآخِرَ

ذَلِكَ خَيْرٌ وَأَحْسَنُ تَأْوِيلًا

﴿٦٣﴾ أَلَمْ تَرَ إِلَى الَّذِينَ

يَقُولُونَ أَنَّهُمْ مُسْلِمُونَ

أُتُوا بِالْبَيِّنَاتِ وَمَا أُنْزِلَ مِنْ قِبَلِكَ

يُؤِيدُونَ أَنْ يُصَاحَبُوا إِلَى الْقَضَايَاتِ

وَقَدْ أُصْرُوا أَنْ يَكْفُرُوا بِهِ

وَيُخْرِئُهُ السَّيِّئُونَ

580. *Ufi' al amr* = those charged with authority or responsibility or decision, or the settlement of affairs. All ultimate authority rests in Allah. Prophets of Allah derive their authority from Him. As Islam makes no sharp division between sacred and secular affairs, it expects governments to be imbued with righteousness. Likewise Islam expects Muslims to respect the authority of such government for otherwise there can be no order or discipline. (R).

581. The immediate reference was to the hypocrites (*Munafiqin*) of Madiinah, but the words are general, and the evil of hypocrisy has to be dealt with in all ages. This type of man is what is called Mr. Facing-both-ways in Bunyan's "Pilgrims Progress". Such men declare that they are always with the Right, but calmly intrigue with evil and injustice, and even make injustice their judge if their personal interests are served in that way.



Verily We have directed  
The People of the Book  
Before you, and you (O Muslims)  
To fear Allah. But if ye  
Deny Him, lo! unto Allah  
Belong all things  
In the heavens and on earth,  
And Allah is free  
Of all wants, worthy<sup>641</sup>  
Of all praise.

وَلَقَدْ وَصَّيْنَا الَّذِينَ أُوتُوا الْكِتَابَ مِنْ قَبْلِكُمْ وَإِيَّاكُمْ أَنْ اتَّقُوا اللَّهَ ۚ وَإِنْ كُنْتُمْ مِنْ الَّذِينَ لَا تَعْلَمُونَ ۚ

132. Yea, unto Allah belong  
All things in the heavens  
And on earth, and enough  
Is Allah to carry through<sup>132</sup>  
All affairs.

وَمَا فِي الْأَرْضِ وَكَفَى بِاللَّهِ وَكِيلًا ﴿١٣٢﴾ وَلِلَّهِ مَا فِي السَّمَوَاتِ

133. If it were His Will,  
He could destroy you,  
O mankind, and create  
Another race; for He  
Hath power this to do.

وَيَا أَيُّهَا الَّذِينَ آمَنُوا إِنِّي جَاءْتُكُمْ بِالْغُرُورِ ۖ وَأَنَّ اللَّهَ عَلَىٰ ذَٰلِكَ قَدِيرٌ ۖ

134. If anyone desires  
A reward in this life,  
In Allah's (gift) is the reward  
(Both) of this life  
And of the Hereafter.<sup>648</sup>  
For Allah is He that heareth  
And seeth (all things).

﴿١٣٣﴾ مَنْ كَانَ يُرِيدِ ثَوَابَ الدُّنْيَا  
فَعِنْدَ اللَّهِ ثَوَابُ الدُّنْيَا وَالْآخِرَةِ  
وَكَانَ اللَّهُ سَمِيعًا بَصِيرًا

## SECTION 20.

135. **¶** ye who believe!  
Stand out firmly

يَا أَيُّهَا الَّذِينَ آمَنُوا كُونُوا قَوَّامِينَ

641. Allah's assistance is absolute existence. It does not depend on any other person or any other thing. And it is worthy of all praise, for it is all good and comprises every possible excellence. It is necessary to stress this point in order to show that the moral law for man is not a mere matter of transcendental commands, but really rests on the essential needs of mankind itself. If therefore such schools of thought as Behaviourism proved their theories up to the hilt, they do not affect the position of Islam in the least. The highest ethical standards are enjoined by Islam, not as dogmatic imperatives, but because they can be shown to follow from the needs of man's nature and the results of man's experience.

642. This refers to the next verse. He does not need us, but we need Him. Our hopes, our happiness, our success centre in Him; but He is Self-sufficient. He has the power to supercede us, but His goodness is ever seeking to give us every chance in this world as well as in the Hereafter.

643. Man in this life can only see up to the horizon of this life. The highest rewards which his wisest or ambitions can conceive of are conceived in the terms of this life. But Allah can give him not only these but something infinitely higher—the rewards of the Hereafter—which it did not even enter his heart to ask for or his imagination to conceive.

For justice, as witnesses<sup>444</sup>  
To Allah, even as against  
Yourself, or your parents,  
Or your kin, and whether  
It be (against) rich or poor:<sup>445</sup>  
For Allah can best protect both  
Follow not the lusts  
(Of your hearts), lest ye  
Swerve, and if ye  
Distort (justice) or decline  
To do justice, verily  
Allah is well-acquainted  
With all that ye do.

يَا لَيْسَ لَكَ عَلَيْهِمْ سُلْطَانٌ إِلَهٌ وَكَرِهَ عَلَى  
الْمُفْسِكِينَ ۚ أَوَلَمْ يَكُنْ غَيبًا أَوْ قَعِيمًا ۖ فَلَا تَسْجُدُوا لَهُمْ بِالْهُمُومِ أَوْ بِالْعَضَاءِ  
وَلَا تُنَادُوا بِهِمْ أَتَعْلَمُونَ ۚ خَيْرًا

136. O ye who believè!  
Believe in Allah  
And His Messenger,  
And the scripture which He  
Hath sent to His Messenger  
And the scripture which He sent  
To those before (him),<sup>136</sup>  
Any who denieth Allah,  
His angels, His Books,  
His Messengers, and the Day  
Of Judgement, hath gone  
Far, far astray.

يَا أَيُّهَا الَّذِينَ آمَنُوا إِنَّمَا رُفِعَ لَكُمْ فِي الْإِسْلَامِ إِلَهُ وَرَسُولُهُ وَالْكَاتِبُ الَّذِي تَرَى عَلَى رُسُلِهِ وَالْكَتَبُ الَّذِي تَرَى مِنْ قَبْلِ وَرَسُولِهِ وَاللَّهُ بِمَا تَكْتُبُونَ عَلِيمٌ ۝ وَرَسُولُهُ وَالْيَوْمُ الْآخِرُ فَذَحِّضْ صِلَالًا بَعِيدًا

137. Those who believe,  
Then reject Faith,  
Then believe (again)  
And (again) reject Faith,  
And go on increasing

إِنَّ الَّذِينَ آمَنُوا ثُمَّ كَفَرُوا  
ثُمَّ آمَنُوا ثُمَّ كَفَرُوا  
ثُمَّ آمَنُوا  
ثُمَّ آمَنُوا

644 justice is Allah's attribute, and to stand firm for justice is to be a witness to Allah, even if it is detrimental to our own interests (as we conceive them) or the interests of those who are near and dear to us. According to the Latin saying, "Let justice be done though heaven should fall."

but Islamic justice is something higher than the formal justice of Roman Law or any other human law. It is even more penetrative than the subtler justice of the Greek philosophers. It searches out the innermost motives, because we are to act as in the presence of Allah, to whom all things, acts, and motives are known.

6:5. Some people may be inclined to favour the rich, because they expect something from them. Some people may be inclined to favour the poor because they are generally helpless. Partiality in either case is wrong. Be just, without fear or favour. Both the rich and the poor are under Allah's protection as far as their legitimate interests are concerned, but they cannot expect to be favoured at the expense of others. And He can protect their interests far better than any man.

616. If your heart is by habit or birth or the example of those you love or respect or admire, make that belief more specific and personal to yourself. We must not only have faith, but realise that faith in our inmost being. The chief objects of our faith are Allah, His Messenger, and His Revelations. To all these we must give a home in our hearts. The angels we do not see and realise as we realise Allah, who is nearer to us than the vehicle of our life-blood, and the Day of Judgement is for our future experience, but we must not deny them, or we cut off a part of our spiritual view.

Intro. to Sūrah 75

1564

# INTRODUCTION AND SUMMARY TO SŪRAH 75—AL QIYĀMAH

This Sūrah belongs to the early Makkan period, but comes chronologically a good deal later than the last Sūrahs.

Its subject matter is the Resurrection, viewed from the point of view of Man, especially unregenerate Man, as he is now, and as he will be then—his inner and psychological history.

- C. 255.—Eschew all Evil: for man was not created  
(75:1-40.) Without purpose or without responsibility.  
The Day of Account will come, and his own  
Conscience bears witness that he  
Must walk straight; for he must face  
That Day's Realities. With patience await  
The unfolding of Allah's view. The faces  
Of the Blest will beam with brightness and beauty.  
For the others, Death will be a terror—  
For duties neglected and sins committed.  
Woe unto man that he thinks not now  
Of Allah's Purpose and the noble Destiny  
For which Allah gave him Life and its Gifts.

Sūrah 75.

1565

## Al Qiyāmah (The Resurrection)

In the name of Allah, Most Gracious,  
Most Merciful.

1. I do call to witness<sup>5809</sup>  
The Resurrection Day;
2. And I do call to witness  
The self-reproaching spirit,<sup>5810</sup>  
(Eschew Evil).
3. Does man think that We  
Cannot assemble his bones?<sup>5811</sup>
4. Nay, We are able to put  
Together in perfect order  
The very tips of his fingers.<sup>5812</sup>
5. But man wishes to do  
Wrong (even) in the time  
In front of him.<sup>5813</sup>
6. He questions: "When<sup>5814</sup>  
Is the Day of Resurrection?"
7. At length, when  
The Sighr is dazed,<sup>5815</sup>

5809. Cf. 70:40, and n. 5700. Here the point to be enforced is understood: I have added it in brackets; "eschew Evil". The appeal is made to two considerations: (1) That every act has to be accounted for, and evil must have its recompense at the Resurrection; and (2) that man's own spirit has a conscience which would reproach him of sin, if he did not suppress that inner voice.

5810. Our doctors postulate three states or stages of the development of the human soul: (1) *ʿAmrānah* (12:53), which is prone to evil, and, if not checked and controlled, will lead to perdition; (2) *Larwānah*, as here, which feels conscious of evil, and resists it, asks for Allah's grace and pardon after repentance and tries to amend; it hopes to reach salvation; (3) *Murwānah* (89:27), the highest stage of all, when it achieves full rest and satisfaction. Our second stage may be compared to Conscience, except that in English usage Conscience is a faculty and not a stage in spiritual development.

5811. The Unbelievers' usual cry is: "What! when we are reduced to bones and dust, how can our personality be called to account?" (17:49). The answer is: Allah has said so, and He will do it, for the death here is not the end of all things.

5812. An idiom for the most delicate parts of the body.

5813. It is bad enough not to repent of past sins. But the evildoer who rejects a Day of Reckoning and has no conscience wants to go on in his career of sin and jeopardise his future also.

5814. The question is sceptical or derisive. He does not believe that there is any chain of consequences in the Hereafter. He does not believe in a Hereafter.

5815. At the Hour of Judgement the full light and glory of the Lord will shine, and the effluence will dazzle man's eyes. For the world as we knew it will go to pieces and a new World will come into being.

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ  
الْقِيَامَةِ  
يَا أَيُّهَا الْمَرْءُ أَنتَ الْغَائِبُ

لَا أَقْسِمُ بِالْقِيَامَةِ

وَلَا أَقْسِمُ بِالْقَيْسِ الرَّامِ

أَجَسِبَ الْإِنْسَانُ أَنْ يَجْعَلَ عَظْمَهُ

بَلْ يُدْعَى بِرَبِّهِ أَنْ سُحِبَ بَنَاهُ

بَلْ يُدْعَى إِلَّا كَدَّيْنِ لَيْتَحَرَّ لَمَاهُ

يَعْتَلِ تَأْتِي تَوْمَ الْقِيَامَةِ

وَأَذَى الْبَصَرِ

Other than Him; nor does  
He share His Command  
With any person whatsoever.<sup>2367</sup>

وَلَا يُشْرِكُ فِي حُكْمِهِ أَحَدًا

27. And recite (and teach)  
What has been revealed  
To thee of the Book  
Of thy Lord: none  
Can change His Words,<sup>2368</sup>  
And none wilt thou find  
As a refuge other than Him.

﴿٢٧﴾ وَقُلْ مَا أَوْحِيَ إِلَيْكَ  
مِنْ كِتَابِ رَبِّكَ  
لَا مُبَدِّلَ لِكَلِمَاتِهِ  
وَلَنْ يَجْعَلَ مِنْ دُونِهِ مَلْتَجًا

28. And keep thy soul content  
With those who call  
On their Lord morning  
And evening, seeking<sup>2369</sup>  
His Face; and let not  
Thine eyes pass beyond them,  
Seeking the pomp and glitter  
Of this life; nor obey  
Any whose heart We  
Have permitted to neglect  
The remembrance of Us,  
One who follows his own  
Desires, whose case has  
Gone beyond all bounds.<sup>2370</sup>

﴿٢٨﴾ وَاصْبِرْ نَفْسَكَ مَعَ الَّذِينَ يَدْعُونَ  
رَبَّهُمْ بِالْغَدَاةِ وَالْعَشِيِّ يُرِيدُونَ وَجْهَهُ  
وَلَا تَقْعُدْ عَنَّا عَنْهُمْ  
رُبِّدْ زِينَةَ الْحَيَاةِ الدُّنْيَا  
وَلَا تُطِعْ مَنْ أَغْفَلْنَا قَلْبَهُ عَنْ ذِكْرِنَا  
وَالْتَبِعْ هَوَاهُ وَكَانَ أَمْرُهُ قَدْرًا

29. Say, "The Truth is  
From your Lord":  
Let him who will,  
Believe, and let him  
Who will, reject (it).<sup>2371</sup>

﴿٢٩﴾ وَقُلِ الْحَقُّ مِنْ رَبِّكَ  
فَمَنْ شَاءَ فَلْيُؤْمِنْ وَمَنْ شَاءَ فَلْيُكْفِرْ

<sup>2367</sup> His Command, i.e., Allah's government of the world, or in His judgement on the Day of judgement.

<sup>2368</sup> His Words: His Commands, Decrees, Orders.

<sup>2369</sup> Cf. 6:53 and n. 870. The true servants of Allah are those whose hearts are turned to Him morning, noon, and night, and who seek not worldly gain, but Allah's Grace, Allah's own Self, His presence and nearness. "Face" is the symbol of Personality or Self. Even if they are poor in this world's goods, their society gives far more inward and spiritual satisfaction than worldly grandeur or worldly attraction.

<sup>2370</sup> For those who stray from Allah's path, Allah's Grace is ever anxious: it seeks to reclaim them and bring them back to the path. If such a one resists, and follows his own lusts, a point is reached when his case becomes hopeless. Allah's Grace does not then reach him, and he is abandoned to his pride and insolence. Beware of following the example or advice of such a one or seeking his society, or hankering after his wretched idols.

<sup>2371</sup> Our choice in our limited free will involves a corresponding personal responsibility. We are offered the Truth: again and again it is pressed on our attention. If we reject it, we must take all the terrible consequences which are prefigured in the fire of Hell. Its flames and roof will completely enclose us like a tent. Ordinarily there is water to quench the heat of thirst: here the only drink will be like molten brass, thick, heavy, burning, sizzling. Before it reaches the mouth of the unfortunate, drops of it will scald their faces as it is poured out.

For the wrongdoers We  
Have prepared a Fire  
Whose (smoke and flames),  
Like the walls and roof  
Of a tent, will hem  
Them in: if they implore  
Relief they will be granted  
Water like melted brass.  
That will scald their faces.  
How dreadful the drink!  
How uncomfortable a couch  
To recline on!

إِنَّا أَنشَأْنَا لِلظَّالِمِينَ نَارًا  
أَحْاطَ بِهَمِّ سُرَادِقِهَا  
وَلَنْ يَسْتَفِيدُوا مِنْهَا  
بِمَاءٍ كَالْمُهْلِ يَغْوِي الْوُجُوهَ  
بِفَسْكَ الشَّرَابِ وَسَاءَتْ مُرْتَقَاهَا

30. As to those who believe  
And work righteousness,  
Verily We shall not suffer  
To perish the reward  
Of any who do  
A (single) righteous deed.<sup>2372</sup>

﴿٣٠﴾ إِنَّا لِلَّذِينَ آمَنُوا وَعَمِلُوا  
الصَّالِحَاتِ إِنَّا لَا نُضِيعُ  
أَجْرَ مَنْ أَحْسَنَ عَمَلًا

31. For them will be Gardens  
Of Eternity; beneath them  
Rivers will flow: they will  
Be adorned therein  
With bracelets of gold,  
And they will wear  
Green garments<sup>2373</sup> of fine silk  
And heavy brocade;  
They will recline therein  
On raised thrones.  
How good the recompense!  
How beautiful a couch  
To recline on!<sup>2374</sup>

﴿٣١﴾ أُولَئِكَ لَهُمْ جَنَّاتُ عَدْنٍ  
يَجْرِي مِنْ تَحْتِهَا الْأَنْهَارُ  
يُحْمَلُونَ فِيهَا مِنْ أَسَاوِرَ مِنْ ذَهَبٍ  
وَيَلْبَسُونَ فِيهَا أَخْضَارًا مُتَنَبِّهَةً  
يُفَكِّكِينَ فِيهَا عَلَى الْأَرَائِكِ  
فَسِعَ الثَّرَاتُ وَحَسَنَتْ مَرْقَاهَا

#### SECTION 5.

32. Set forth to them  
The parable of two men:  
For one of them We provided  
Two gardens of grapevines

﴿٣٢﴾ وَأُفْرِغَ لَهُم مِمَّا رَزَقْنَاهُمْ  
جَنَّتَانِ أَحَدُهُمَا جَنَّةٌ مِمَّا نَحْنَبُ

<sup>2372</sup> The righteous will be rewarded, as has been said again and again, beyond their merits: 28:84; 30:39. Not a single good deed of theirs will lose its reward, and the mercy of Allah will blot out their sins.

<sup>2373</sup> Heaven is figured by all the pictures of ease and comfort which we can imagine in our present state. Gardens; perpetual springs of crystal clear water, which we can see as in a landscape from above; the finest and most costly ornaments; the most beautiful clothes to wear; green is the colour mentioned, because it is the most refreshing to the eye, and fits in well with the Garden; the wearer takes the choice of fine silk or heavy brocade; and for rest and comfort, high thrones of dignity on which the blessed ones recline.

<sup>2374</sup> This picture is in parallel contrast to the picture of Misery in the last verse.

For justice, as witnesses;<sup>644</sup>  
To Allah, even as against  
Yourselves, or your parents,  
Or your kin, and whether  
It be (against) rich or poor.<sup>645</sup>  
For Allah can best protect both.  
Follow not the lusts  
(Of your hearts), lest ye  
Swerve, and if ye  
Distort (justice) or decline  
To do justice, verily  
Allah is well-acquainted  
With all that ye do.

136. O ye who believe!

Believe in Allah  
And His Messenger,  
And the scripture which He  
Hath sent to His Messenger  
And the scripture which He sent  
To those before (him).<sup>446</sup>  
Any who denieth Allah,  
His angels, His Books,  
His Messengers, and the Day  
Of Judgement, hath gone  
Far, far astray.

137. Those who believe,  
Then reject Faith,  
Then believe (again)  
And (again) reject Faith,  
And go on increasing

644. Justice is Allah's attribute, and to stand firm for justice is to be a witness to Allah, even if it is detrimental to our own interests (as we conceive them) or the interests of those who are near and dear to us. According to the Latin saying, "Let justice be done though heaven should fall."

But Islamic justice is something mightier than the formal justice of Roman Law or any other human law. It is even more penetrative than the subtler justice in the speculations of the Greek philosophers. It searches out the innermost motives, because we are to act as in the presence of Allah, to whom all things, acts, and motives are known.

645. Some people may be inclined to favour the rich, because they expect something from them. Some people may be inclined to favour the poor because they are generally helpless. Partiality in either case is wrong. Be just, without fear or favour. Both the rich and the poor are under Allah's protection as far as their legitimate interests are concerned, but they cannot expect to be favoured at the expense of others. And He can protect their interests far better than any man.

646. If your chief is by habit or birth or the example of those you love or respect or admire, make that belief more specific and personal to yourself. We must not only have faith, but realise that faith in our immost being. The chief objects of our Faith are Allah, His Messenger, and His Revelations. To all these we must give a home in our hearts. The angels we do not see and realise as we realise Allah, who is nearer to us than the vehicle of our life-blood, and the Day of Judgement is for our future experience, but we must not deny them, or we cut off a part of our spiritual view.

إِلَّا الْإِسْلَامَ شَهَدَ أَنْ لَا إِلَهَ إِلَّا اللَّهُ وَهُوَ عَلَى  
الْأَفْسَاسِ كُمْ أَوِ الْوَالِدَيْنِ وَالْأَقْرَبِينَ  
إِنْ يَكُنْ عَيْنًا أَوْ فَقِيرًا فَاللَّهُ أَوْلَىٰ بِهِمَا  
فَلَا تَكُن مِمَّنْ هُوَ إِلَىٰ آلِهِمْ بِحَدِّ لُؤْلُؤٍ  
وَأِنْ تَلَوْا أَوْ نَعَسْتُمْ  
فَإِنَّ اللَّهَ كَانَ بِمَا تَعْمَلُونَ خَبِيرًا

يَا أَيُّهَا الَّذِينَ آمَنُوا آمِنُوا بِاللَّهِ  
وَرَسُولِهِ ۖ وَالْكِتَابِ الَّذِي نَزَّلَ عَلَى رَسُولِهِ ۚ

وَالَّذِينَ يَدْعُونَ إِلَى الْإِيمَانِ أَذِلَّةٌ مِنَ الَّذِينَ يَكْفُرُونَ ۚ وَمَا كُنْتُمْ بِأَعْيُنِنَ ۚ  
وَأُولَٰئِكَ هُمُ الْآخِرُ ۖ فَقَدْ صَلَّى

﴿۱۶۸﴾ إِنَّ الَّذِينَ آمَنُوا كَفَرُوا  
كُفْرًا أَكْبَرًا ۖ أُولَٰئِكَ  
سَمَٰعُتُهُمْ لَمَّا جَاءَهُمُ  
الْبَيِّنَاتُ ۚ قُلْ أَتُحِبُّونَ  
الْبَيِّنَاتَ أَكْثَرَ مِنْهُ  
الْأَلْبَانِ وَالْأَحْمَرِ  
وَالْأَسْوَدِ الْيَتَامَىٰ  
وَالْمَسْكِينِ وَابْنِ  
الزَّوْجِ ۚ قُلْ الْحَقُّ  
مَعَ الْيَتَامَىٰ ۚ قُلْ  
أَحْسَنُ ۚ قُلْ إِنِّي  
مِنَ الصَّادِقِينَ ۚ

**Sūrah 4: *Al Nisā'***

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سورة النمل

**In Unbelief—Allah  
Will not forgive them  
Nor guide them on the Way.<sup>647</sup>**

138. To the Hypocrites give  
The glad tidings that  
There is for them  
(But) a grievous Penalty—

139. Yea, to those who take  
For friends Unbelievers  
Rather than Believers:  
Is it honour they seek  
Among them? Nay—  
All honour is with Allah.<sup>548</sup>

140. Already has He sent you<sup>669</sup>  
Word in the Book, that when  
Ye hear the Signs of Allah  
Held in defiance and ridicule,  
Ye are not to sit with them  
Unless they turn to a different  
Theme: if ye did, ye would be  
Like them. For Allah will  
Collect the Hypocrites and those  
Who defy Faith—all in Hell—

141. (These are) the ones who  
Wait and watch about you—  
If ye do gain  
A victory from Allah,  
They say: "Were we not  
With you?"—but if  
The Unbelievers gain  
A success, they say

647. Those who go on changing sides again and again can have no real Faith at any time. Their motives are mere worldly double-dealing. How can they expect Allah's grace or forgiveness? Here is a clear warning against those who make their religion a mere matter of worldly convenience. True religion goes far deeper. It transforms the very nature of man. After that transformation it is as impossible for him to change as it is for light to become darkness.

649. If the motive is some advantage, some honour — the fountain of all good is Allah. How can it really be expected from those who deny Faith? And if there is some show of worldly honour, what is it worth against the contempt they earn in the spiritual world?

649. *Cf.* 6:68, an earlier and Makkian verse.

Where we see or hear Truth held in light esteem, we ought to make our protest and withdraw from such company, not out of arrogance, as if we thought ourselves superior to other people, but out of real humility, lest our own nature be corrupted in such society. But it is possible that our protest or our sincere remembrance may change the theme of discourse. In that case we have done good to those who were inclined to hold Truth in light esteem, if we have saved them for ridiculing Truth.

كُفِّرَا عَنْ ذُنُوبِكُمَا إِنَّهُ غَفُورٌ رَحِيمٌ  
وَلَا تَتَّبِعُوا سَبِيلًا  
يُضِلُّ السَّبِيلِينَ ﴿١٧٧﴾  
يَا أَيُّهَا الَّذِينَ آمَنُوا عَذِّبْنَا بِمَا

الَّذِينَ يَتَّبِعُونَ أَكْثَرِينَ أُولَٰئِكَ  
مِنَ الَّذِينَ يُشْكِرُونَ

[illegible]

﴿الَّذِينَ يَدْعُونَ بِكُفْرٍ﴾  
فَإِنْ كَانَ لَكُمْ فَتْحٌ مِنَ اللَّهِ  
فَالْوَالِدُ الَّذِي تَعْلَمُ مَعَكُمْ  
وَإِنْ كَانَ لِلْكَافِرِينَ نَصِيبٌ فَأُولَٰئِكَ



on the European continent, where legal systems were based more closely on Roman law. In 1275 one of the Statutes of Westminster punished rape with two years' imprisonment. By 1505 the lord treasurer, speaking before the Star Chamber in *Gresham v. Markham*, stated: "Prisons are ordained for two reasons, the one for safe custody, and the other for correction." On the Continent, statutes providing for imprisonment were rare and of a minor order.

The shift from the medieval agrarian system to the new capitalist economy disposessed many persons from their lands and brought into existence great numbers of vagrants. Severe laws were first passed in England in the time of Henry VIII (reigned 1509-1547) to preserve "upright men" from swarms of beggars and vagabonds. An act of 1572 recognized for the first time the necessity of taking care of "impotent, aged, and needy persons." In the main, however, a vagrant was more likely to be whipped or have his ear bored, and the jails were filled with the unfortunate, the inept, or those living by their wits—all awaiting trial.

In 1597, Parliament passed "An Act for the Punishment of Rogues, Vagabonds, and Sturdy Beggars," which was rather more humane, though it still called for corporal punishment. Beggars were to be returned to their birthplaces and there kept in a jail or in a house of correction until they could be put to work. More serious cases were to be disposed of by being conveyed unto such parts beyond the sea as shall at any time hereafter for that purpose be assigned. . . . or otherwise be judged perpetually to the Gallies of this Realme. . . . This act set the legal basis for the transportation of prisoners to the American colonies, to Australia, and to several other British possessions.

Jails were both crowded and pestilent, and it was common for prisoners to succumb to disease before coming to trial. A prison might be situated in the cellar of the county courthouse, the cellar or tower of a castle, or a back room of an inn. Prisoners were customarily farmed out to venders who might have to make their living from the fees that could be extracted from the inmates. English debtors, who could be imprisoned by their creditors, were thus apt to be worse off than actual criminals who might have funds. There was no segregation either by sex or by severity of crime.

**Role of Reform Movements.** The humanitarian movement to provide relief for the poor was to furnish a fresh starting point for prison reform. In 1533 the former royal palace at Bridewell was turned over to the City of London by Edward VI as "a workhouse for the poor and idle people." The term "bridewell" came to be applied to other workhouses and houses of correction, and every county in England was required to have its own.

Perhaps it was the English influence that led to the establishment of a house of correction in Amsterdam in 1595. That city founded a spinning house for women in the following year. Similar houses of correction were later established in Lübeck (1613), Bern (1614), and many other cities.

An important step toward the development of the modern prison was the Hospice of San Michele, a reformatory for boys established in Rome by Pope Clement XI in 1703. Its primary aim was moral regeneration. Offenders were

classified according to their ages and the severity of their crimes, religious instruction was provided, and each prisoner was put to work in the daytime and given his own cell at night, to furnish him seclusion for reflection and penitence. In 1735, Clement XII added a similar institution for women.

Perhaps the most important of the new workhouses was the House of Correction in Ghent, founded in the early 1770's. Here the classification of prisoners was carried out more systematically, and women and children were kept in separate sections. A serious attempt was made there to reform the inmates, and they were taught trades.

The greatest of English prison reformers was John Howard. When he became high sheriff of Bedfordshire in 1773, he was horrified by the conditions he discovered upon visiting the county jail. This was the first in a series of visits to prisons that was to take him all through Europe. He was very much impressed by the Hospice of San Michele and the House of Correction in Ghent, and his own ideas were a development of what he had observed. His great work *The State of the Prisons in England and Wales* (1777) had an enormous influence on penal reform and prison management. Elizabeth Fry, an English Quaker, played an important part in improving the conditions of female prisoners in the first half of the 19th century.

**Early American Prisons.** In the American colonies imprisonment as a form of punishment was even rarer than it was in England. The shortage of labor made it uneconomical to waste men as prisoners or as guards. The Quaker colonies of West Jersey and Pennsylvania rejected capital punishment, except for murder, and corporal punishment as well, believing that offenders could be reformed through hard labor and meditation. The Quakers developed a combination of the features of jails and workhouses that is considered by some authorities to have been the first true prison. The prisoners were not forced to pay for their own upkeep, which eliminated many abuses. Unfortunately these reforms did not survive after the Quakers lost control in New Jersey (1702) and after Pennsylvania was forced to accept the English criminal code (1718).

After the American Revolution, Pennsylvania Quakers and other humanitarians, led by Dr. Benjamin Rush, made another vital contribution to prison reform. The Philadelphia Society for Alleviating the Miseries of Public Prisons was founded in 1787. Now known as the Pennsylvania Prison Society, it is the oldest existing prison reform society. This group, influenced by Howard's *State of the Prisons*, urged the state legislature to reform the Walnut Street Jail.

In 1790 a separate cell house for felons was added to the Walnut Street Jail, and this became the first penitentiary in the United States. Hard labor was substituted for corporal punishment, and the inmates received payment for their work. Prisoners were classified, the more refractory ones being placed in solitary confinement. As with all Quaker institutions, there was religious instruction. The procedures at the Walnut Street Jail led to the development of the new Pennsylvania system. This plan was based on the complete isolation of prisoners, with labor restricted to handicrafts that could be done inside the cell. By the mid-1820's a rival method, called the Auburn system, was established at the prison

**PRISONER OF WAR.** Traditionally, a member of a belligerent's armed forces who has been captured by the enemy. The complexities of modern warfare, however, have led to the extension of prisoner-of-war status to persons of other categories. International law identifies the categories of persons who should be classified as prisoners of war and by custom and specific multilateral treaties or conventions—confers on them a protected status. Under this status a prisoner of war (POW, or sometimes PW) is to be treated humanely and is to be detained for no purpose other than to prevent his further participation in combat.

#### INTERNATIONAL REGULATIONS

The primary rules relating to POW's are set forth in the Geneva Convention Relative to the Treatment of Prisoners of War of Aug. 12, 1949 (CPW), to which most of the world's states are parties. Other international rules come from the 1907 conferences at The Hague, Netherlands.

**Classification of POW's.** The CPW specifies that in addition to members of regular forces, irregular combatants are entitled to POW status if they (1) belong to a party of the conflict, (2) are commanded by a responsible person, (3) wear a fixed, distinctive insignia recognizable at a distance, (4) carry their weapons openly, and (5) conduct their operations in accordance with the laws and customs of war. If there is doubt regarding the status of captives, the CPW requires that such persons be treated as POW's until a competent tribunal determines their status.

Inhabitants of a nonoccupied territory who spontaneously resist an invading enemy without having time to form themselves into regular units are deemed POW's if they carry their arms openly and respect the laws and customs of war. Examples of noncombatants protected as POW's are war correspondents, supply contractors, and laborers. Members of crews, including masters and pilots of merchant ships and the crews of civil aircraft, of a belligerent are also regarded as POW's if they are not entitled to more favorable treatment under any other provision of international law. Medical personnel and chaplains, although members of the armed forces, are not considered POW's. They are designated as "retained personnel" and must be returned to their forces as soon as possible if there is no need for their services for POW's.

Interned civilians are protected by a separate international convention, the 1949 Geneva Convention Relative to the Protection of Civilian Persons in Time of War. The same convention also rules that terrorists, spies, and saboteurs may be imprisoned or executed, but only after a trial conducted under certain minimum safeguards.

**Treatment of POW's.** The CPW attempts to restrict abuse and infringements of humanitarian principles by requiring contracting parties to punish persons found guilty of committing "grave breaches" of the convention. Such breaches include willful killing, torture, or inhuman treatment, including biological experiments; compelling a POW to serve in the forces of a hostile power; and willfully depriving a POW of a fair trial.

Basic food rations of prisoners must include equivalents of their habitual diets and should be sufficient to keep them in good health and to prevent loss of weight or development of nutritional deficiencies. This may not be comparable to the

built in Auburn, N. Y. Under this system, also founded by Quakers, prisoners were permitted to work together in groups, but always in silence. Each had his own tiny cell in which he remained when not working.

Both systems held rigidly to the principle that under no circumstances should prisoners ever communicate with each other. This led to severe and sometimes brutal discipline in the effort to enforce silence. As a result of heavy expense and a high rate of insanity caused by the lack of social intercourse, both systems ultimately failed. Nevertheless, they were widely influential. Most U. S. prisons followed the Auburn system, while the Pennsylvania system was imitated throughout Europe. As capital offenses were gradually reduced to prison offenses, prisons became even more overcrowded.

**More Enlightened Approaches.** Beginning in 1788, Australia replaced the American colonies as the recipient of transported British prisoners. Perhaps the most significant Australian development in prison management came from the experiments on Norfolk Island, off the east coast, between 1840 and 1844. Capt. Alexander Maconochie devised a system of marks by which a prisoner could reduce his sentence, thus giving him a strong incentive to good conduct. Other countries also used transportation of prisoners as a penal device, among them France in French Guiana and New Caledonia, Russia in Siberia, and Portugal in Angola.

On the heels of the failure of the Pennsylvania and Auburn systems, the reformatory system was developed under the inspiration of religious leaders who were concerned that young offenders be given special attention. In 1876 the Elmira Reformatory was opened, with Zebulon Brockway as superintendent. Basic to the new systems were the following principles, many of which continued to be fundamental in modern penology: (1) an age range between 16 and 30; (2) the setting aside of a portion of the wages of inmates for their use after their release; (3) indeterminate sentences; (4) special agents to supervise released prisoners (now parole officers); (5) control by a nonpartisan commission; (6) the marking and grading of prisoners; (7) physical and military training; and (8) a formal education program.

Beginning in the 1930's there were advances in the United States and elsewhere, in such areas as vocational industry and efforts at social and psychiatric rehabilitation. But there remains an urgent need for much greater public awareness of the problems and needed solutions.

ROBERTS J. WRIGHT  
Former Editor, "American Journal of Correction"

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is most often the theology of al-Ashari that is meant. A member of other distinguished thinkers followed his lead by supporting the same position, the most notable being the great al-Ghazali (died 1111).

The focal point of al-Ashari's theology was absolute sovereignty and majesty of God. Unlike the Mutazilites, whose motives were intellectual, he was moved by religious awe for the majesty of God and His revelation. He accepted what the Koran said in its most literal sense and produced rational arguments to uphold its view. Thus, he affirmed that God has hands and feet, not metaphorically, though God's hands are not like human hands. On the question of God's attributes (*sifat*) he argued for the reality of the attributes as they are mentioned in the Koran, but refused to state the modality of their relationship to the divine essence. God has power, knowledge, will, and so on, as real qualities, but al-Ashari would not say how they are possessed. The formula that expresses his position is *bi-la kayf*, "without 'how'"; it was first put forward by the famous conservative traditionalist Imam Ibn Hanbal, whose authority al-Ashari acknowledged. Al-Ashari also accepted the possibility of the beatific vision and believed in the Scale and other ideas that were created in the popular mind with the Judgment Day.

Perhaps the most subtle and difficult of al-Ashari's doctrines was his stand on free will and predestination. He would allow no compromise of God's absolute power, holding that all power and all action come directly from God. Men have no independent ability to act except as God creates the capacity and will in them. At the same time he believed man to be responsible for actions and to deserve reward and punishment for them. Although the power is God's, man requires (*kash*) an action when it is performed and thus becomes accountable for it. The doctrine of *kash* was an attempt to mediate between extremes, by asserting both God's absolute sovereignty and man's responsibility. In later

world and achieve blessedness hereafter. The Islamic law is the attempt by Muslims to derive a series of specific rules of conduct from the basic sources of guidance, and it comprises a comprehensive set of prescriptions and proscriptions.

**Sharia.** The common word for the law is *sharia*, which originally meant a pathway. It may roughly be translated as "the path in which God wishes men to walk." The prescriptions of the Sharia are ordained by God as His eternal will. It is, thus, the standard of right and wrong in human affairs, and it provides an all-inclusive scale of religious valuation for conduct. Every human deed falls under the perspective of the law, without exception. Actions are classified as obligatory (*fard*); meritorious or recommended (*mandub*); indifferent, that is, bringing neither reward nor punishment (*mubah*); reprehensible, that is, not punishable but disapproved (*makruh*); and forbidden (*haram*). There has been no more far-reaching effort to lay out a complete pattern of human conduct than the Islamic Sharia.

The assumption underlying the Sharia is that men are incapable of discriminating right and wrong by their own unaided powers. It was for this reason that guidance was sent to them through prophets. God, who is all-powerful and perfectly free, has decreed a pathway for men. His decrees are based upon nothing but His sovereign will; they are not subordinated to rational considerations, nor are they to be judged by the standard of reason as the Mutazilites attempted to do. It follows, therefore, that the Sharia is *taabbudi*, to be obeyed as a slave obeys his master. The Sharia is both a divine and an eternal law and, hence, completely trustworthy. As the basic institution of Islamic civilization throughout the centuries, it explains the certainty and assurance Muslims have felt in the rightness of their way of life.

In its content, the Sharia is much more than law in the modern sense. Not only does it deal with matters of religious ritual, but it regulates every aspect of political, social, and private life. Religious belief, or creed, is part of Sharia in the broadest sense, though *kalam* became a spe-

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The later history of *kalam* shows a development toward the use of more strictly logical modes of argument. It also, however, exhibits a tendency for the *kalam* to become increasingly the preserve of a few specialists and to lose its connection with the life and religious feeling of the majority of Muslims. By the end of the 13th century the traditionalist attitude seen elsewhere in Islamic life had asserted itself, and the *mutakallim* no longer wrote creative treatises on the difficult theological issues but were content to compile compendiums of the opinions of their predecessors. For most of Islamic history the *kalam* did not play a vital role for the majority of Muslims. Of far more importance have been the practical questions raised by the lawyers or the personal spiritual guidance offered by the mystics.

Law

The heart of Islamic religious concern is the fact that Islam is an eminently practical way of life. At Muslims most expect from their religion is guidance for all the specific situations of life but they may know how to please God in this

world and achieve blessedness hereafter. The Islamic law is the attempt by Muslims to derive a series of specific rules of conduct from the basic sources of guidance, and it comprises a comprehensive set of prescriptions and proscriptions.

**Sharia.** The common word for the law is *sharia*, which originally meant a pathway. It may roughly be translated as "the path in which God wishes men to walk." The prescriptions of the Sharia are ordained by God as His eternal will. It is, thus, the standard of right and wrong in human affairs, and it provides an all-inclusive scale of religious valuation for conduct. Every human deed falls under the perspective of the law, without exception. Actions are classified as obligatory (*fard*); meritorious or recommended (*mandub*); indifferent, that is, bringing neither reward nor punishment (*mubah*); reprehensible, that is, not punishable but disapproved (*makruh*); and forbidden (*haram*). There has been no more far-reaching effort to lay out a complete pattern of human conduct than the Islamic Sharia.

The assumption underlying the Sharia is that men are incapable of discriminating right and wrong by their own unaided powers. It was for this reason that guidance was sent to them through prophets. God, who is all-powerful and perfectly free, has decreed a pathway for men. His decrees are based upon nothing but His sovereign will; they are not subordinated to rational considerations, nor are they to be judged by the standard of reason as the Mutazilites attempted to do. It follows, therefore, that the Sharia is *taabbudi*, to be obeyed as a slave obeys his master. The Sharia is both a divine and an eternal law and, hence, completely trustworthy. As the basic institution of Islamic civilization throughout the centuries, it explains the certainty and assurance Muslims have felt in the rightness of their way of life.

In its content, the Sharia is much more than law in the modern sense. Not only does it deal with matters of religious ritual, but it regulates every aspect of political, social, and private life. Religious belief, or creed, is part of Sharia in the broadest sense, though *kalam* became a specialized science in its own right. At the other extreme the Sharia prescribes permissible and forbidden types of food, the manner of a Muslim's dress, and acceptable manners. Much is included that today is thought to be outside the realm of law. Traditionally Muslims divide the Sharia into two parts: the *Ibadat*, or duties that are owed to God by way of worship, and so on; and the *Muamalat*, or duties of a practical kind toward men and society. Neither category is more important or binding than the other; both follow from the decrees of God.

The Sharia differs from modern concepts of law in another way as well. Law is normally associated with the state, enforced by the police power, and applies to all within the territorial boundaries of the state. None of these facts holds true of the Islamic law. It is binding primarily upon individuals, who stand in face to face responsibility with God, and is not enforced by the state. The Sharia, in fact, gives scant attention to the sphere of public law. Most of its provisions apply to Muslims alone, though there are some rules for non-Muslims living in Islamic territory. Similarly, some of the precepts that Muslims must observe in Islamic territory become inoperative in regions controlled by "unbelievers."

**The Four Schools of Law.** In order to discover

WRITTEN BY CHARLES J. ADAMS, MCGILL UNIVERSITY

SUMMARY JUDGMENT ATTACHMENT

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## بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

### PREFACE

Praise be to Allah, the Cherisher and Sustainer of the worlds, Who has said in His Noble Book:

There has come to you from Allah  
Light and a Pervasive Book. (1)

And may peace and blessings be upon the Seal of the Prophets, Muhammad, who has said that:

The best among you is he who learned  
the Qur-ān and then taught it. (2)

May the peace and blessings of Allah be upon him, his family and all his Companions.

The Glorious Qur-ān is the Book of Allah, the Wise and Worthy of all Praise, Who has promised to safeguard it from any violations in its purity. It becomes incumbent upon each and every person who seeks the dignity of this world and the bliss of the Hereafter to regulate his life according to it, to implement its commandments and to pay homage to the magnificence of the One Who revealed it. This can be an easy task for those favoured with guidance from Allah, especially those blessed by an understanding of Arabic, the language of the divine communication. But for those not acquainted with Arabic, their ignorance is a barrier between them and this source of guidance and illumination. A translation of the message of Allah is thus a task not to be taken lightly or performed superficially.

Before the reader begins to study the Qur-ān, he must realise that unlike all other writings, this is a unique book with a supreme author, an eternal message and a universal relevance. Its contents are not confined to a particular theme or style, but contain the foundations for an entire system of life, covering a whole spectrum of issues, which range from specific articles of faith and commandments to general moral teachings, rights and obligations, crime and punishment, personal and public law, and a host of other private and social concerns. These issues are discussed in a variety of ways, such as direct stipulations, reminders of Allah's favours on His creation, admonitions and rebukes. Stories of past communities are narrated, followed by the lessons to be learned from their actions and subsequent fates.

The Qur-ān enjoys a number of characteristics unique to it alone, some of which are as follows:

(1) Sīrat Al-Ma'ida: 15. (2) Narrated by the six ones except Muslim.

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SUMMARY JUDGMENT ATTACHMENT

الأول : انتخاب أحسن التراجم الموجودة لتكون منطقاً للعمل ومرجعاً أساسياً للجهود التي سنبذل ثم مراجعة معاني القرآن التي اعتمدنا تلك الترجمة وتصحيح ما يلاحظ عليها .  
الثاني : القيام بترجمة مستقلة غير مقبسة من ترجمات سابقة فبين أن هذا الأمر يحتاج إلى وقت طويل وجهود يصعب أن تنجز في هذا الوقت .

وقد ترجع الأخذ بالأثر الأول للبية الحاجة الملحة في الوقت الحاضر ورجية في تحقيق الهدف بأسرع ما يمكن .... وقد تم بموجب ذلك اختيار ترجمة الأستاذ / عبدالله يوسف على لما تمتاز به من قوة الأسلوب وجزالة المعاني والشرح الكثيرة ثم شرعت اللجنة في تنقيحها مستعينة بالعبارات المثل من التراجم الأخرى إضافة إلى ما رأيت هي أن تعتمد من ألفاظ جديدة في الأماكن التي رأيت ضرورة تصحيحها مع عنايتها بتحقيق الملاحظات التي وردت إلى الرئاسة في الهيئات والجامعات والمهنيين بهذا الأمر .

وقد حاول عمل تلك اللجنة إلى عدة جهات وأفراد للظفر في عمل اللجنة الأولى واستدراك مالم تنبه إليه وإبداء الملاحظات حول ما فاتت اللجنة الأولى ومقارنة الآراء الواردة في موضوع معين وتيسير العمل الجهات التي استشيرت بعمل اللجنة الأولى ومقارنة الآراء الواردة في موضوع معين وتيسير العمل المطلوب واستخلاص نص واحد معتمد وسلم من الملاحظات قدر المستطاع ... وبعد ذلك تولت لجنة رابعة النظر فيما توصلت إليه اللجنة الثالثة وتطبيقه على مبريات اللجان السابقة وثبتت الأصح وأقرار النص الإقرار النهائي إضافة إلى مراجعة المحررات مراجعة دقيقة وتخليصها من بعض المآخذ المتعلقة بالعقيدة وبعض الآراء الفقهية والاتجاهات الفكرية المخالفة للصواب .

وحيث إن بعض الألفاظ باللغة العربية مثل الزكاة وغيرها لا يمكن ترجمتها تؤدي المعنى الصحيح في الإسلام ... هذا فضل بجانب أن نقي هذه الألفاظ كما هي في اللغة العربية مكتوبة بالحروف اللاتينية وعملت قائمة هذه الألفاظ التي استعملت في الترجمة على هذا النحو بمجدها القارئ بعد هذه المقدمة وكذلك مسجد القارئ الكريم قائمة تبين طريقة النطق الصحيح للحروف العربية ومقابلتها باللغة الأجنبية وقائمة بالكلمات المختصرة التي تكرر استخدامها، وفي نهاية الترجمة فهرس عام يشمل الأسماء والأماكن والموضوعات التي ورد ذكرها في القرآن الكريم .

وحسب الترجمة السامي رقم ١٢٤١٢ المؤرخ في ٢٧ / ١٠ / ١٤٠٥ هـ ، طبعت هذه الترجمة في مجمع الملك فهد لطباعة المصحف الشريف بالمدينة المنورة ، بالتنسيق مع الرئاسة العامة لإدارات البحوث العلمية والإفتاء والدعوة والإرشاد .

وإطلاقاً من توجهات خادم الحرمين الشريفين حفظه الله في نشر كتاب الله وتوزيعه وترجمة معانيه إلى كل لغة ينطق بها المسلمون في الأصقاع .... وبناء على التعاون القائم بين الأمانة العامة لمجمع الملك فهد لطباعة المصحف الشريف والرئاسة العامة لإدارات البحوث العلمية والإفتاء والدعوة والإرشاد في سبيل ترجمة معاني القرآن الكريم ترجمة علمية آمنة ودقيقة .

بسرنا أن نقدم لجميع المسلمين والباحثين عن النور ممن يتكلمون باللسان الإنجليزي هذه الترجمة التي تأتي ضمن سلسلة تراجم تفسير معاني القرآن الكريم إلى اللغات المختلفة التي تم طباعتها في المجمع بالمدينة المنورة ... داعين الله أن يحول الثمرة لمن كان وراء هذا العمل المبارك .

الرئاسة العامة  
لإدارات البحوث العلمية والإفتاء والدعوة والإرشاد

- ii -

21ST CENTURY'S DAWN'S EARLY LIGHT

My Country tis of thee  
This is about your reality  
By the 21st Century's Dawn's early light  
There ain't no justice for you here if you ain't white

Sweet land of liberty  
Bitter was the taste of your slavery  
And that putrid taste remains strong in all of our mouths  
As we now see you lynching us downtown in your courthouses

The whole world watched you beat down Rodney King  
Then we saw white jurors who could not see what we were seeing  
With their open eyes their closed minds saw the police were right  
You know there ain't no justice for you here if you ain't white

Today's lynchings are performed at Police State-style trials  
Perpetuating this injustice American-style  
Highlighting the unstated semantic reality  
That lynchings don't require bodies hanging from the trees

Oh say can you see  
Strange fruit no longer hangs in America's trees  
Now in the land of the free the home of the brave  
Prisons conceal the lynched children of America's slaves

Remember Martin told us to let Freedom ring  
So my Country tis of thee that sing  
Now in the land of the free the home of the brave  
Prisons conceal the lynched children of America's slaves

Practiced before man began recording history  
The art of self-healing ain't no real mystery  
The best doctors with perfected visions in their  
Can't help those who're determined to remain blind

Those who go out of their way to trivialize  
Their lost of focus upon a very important prize  
Living a nightmare unaware running out of time  
Oblivious victims of State-sponsored hate crimes

The only thing missing in their courtrooms is the  
And justice for people with black skin like you all  
Courts remain one of America's most racist places  
Please don't try to deny it when it's  
right up in all of our faces

One hundred and seventeen per one hundred thousand  
is white folk's incarceration rate  
One thousand six hundred and seventy-three per hun  
is Black's rate in this racist state  
Doubt has been dispelled by computerized light  
Black's incarceration rate is fourteen times that

Social scientist produce these stats then they tel  
which you'll accept as true if you're determined t  
will you act upon the facts upon which these stats  
To end State-sponsored hate crimes against the Bla

Even blind eyes must see our apathy as being beyond  
Educated and wealthy now what are we doing to make  
Could it be that doctorate degrees and surplus per  
Destroy the vision of those who have not learnt  
we must show love to ourselves

Practiced before man began recording history  
The art of self-healing ain't no real mystery  
The best doctors with perfected visions in their mi  
Can't help those who're determined to remain blind

# Pa. imprisons blacks at highest rate

PHILADELPHIA POST-GAZETTE 7-29-01

## Study by reform group finds it's 14 times that of whites

By John M.R. Bull  
Post-Gazette Harrisburg Correspondent

**HARRISBURG** — Pennsylvania imprisons a larger percentage of its minority population than any other state, according to a new study.

For more than a decade, the state has had one of the highest disparities in the rate at which it incarcerates minority inmates compared with the state's minority population, but now it is the worst, according to a study done by the prison reform group the Justice Policy Institute in Washington, D.C. The results of the study were published recently by the liberal magazine Mother Jones.

"This is not shocking news," said Ernie Preate Jr., a former state at-

torney general who served time in prison on corruption charges and who is now a crusader for prison reform.

"This has been evident the last several years. This certainly should raise some red flags in the governor's office."

The study compared the number of minorities in state prisons with the number of minorities in the state and measured the results against other states, based on 2000 figures.

Overall, blacks make up 55 percent of the state prison population, but 10 percent of the state's population.

The study concluded that 1,673 of every 100,000 blacks in the state are in prison, compared with 117 of every 100,000 whites. That would mean that blacks are imprisoned at a rate 14 times that of whites.

Add in the number of Hispanic and Asian prisoners, who make up less than 1 percent of the state's population and are incarcerated at a lower rate than blacks, and the state incarcerates minorities overall at 11 times the rate of whites.

That disparity is larger than in any other state, according to the study.

Other states that incarcerate minorities more than 10 times the rate of white defendants are Minnesota,

Wisconsin, Connecticut and New Jersey.

Southern states do not incarcerate as great a percentage of their minority populations as do many Northeastern states. Texas had the lowest incarceration disparity, imprisoning minorities at 2.5 times the rate of whites, the study showed.

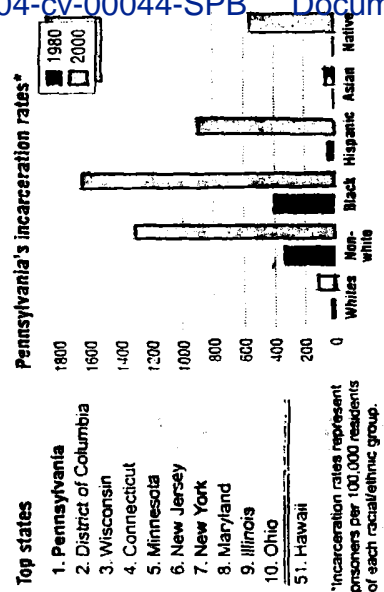
"Why?" is something we really don't know," said Jason Ziedenberg, senior policy analyst at the Justice Policy Institute.

"That's an intriguing question," said Alfred Blumstein, a professor of urban systems and operations research at Carnegie Mellon University who has published two well-regarded studies on racial disparity in incarceration rates.

SEE STUDY, PAGE C-2

## Incarceration disparity

Pennsylvania has the highest disparity between white and nonwhite incarceration rates\* in the United States for 2000.



Source: motherjones.com

prisoned" that Pennsylvania would have such a disparate rate of incarceration of its black population, and he couldn't say why. Pennsylvania is not considered one of the "liberal" states such as Minnesota and Connecticut, which have less-stringent sentencing provisions, or, to a lesser degree, New Jersey, Blumstein said.

Judges render sentences on a case-by-case basis. An Associated Press investigation revealed last year that blacks in Pennsylvania tended to more often receive prison sentences, or longer ones, than white defendants accused of the same crimes.

Statistics, however, are not kept on the sentences issued by individual judges.

As of June 30, 34 percent of the

state's 37,081 inmates were white, 55 percent were black and 10 percent were Hispanic, according to the state Department of Corrections.

"We don't have anything to do with who's sentenced or how long they're sentenced," said Lisa Aaron, spokeswoman for the department.

A study done last year by Human Rights Watch placed Pennsylvania sixth in the country in its rate of racial disparity in incarceration, based on 1998 figures. That study identified Minnesota, New Jersey and Connecticut and other Northeastern states as having the largest racial disparities in incarceration rates, as was found by the Justice Policy Institute.

That blacks over the past 20

years have been sentenced to longer terms at high rates is not news, a latest study merely compared the number of blacks in each state's prisons with the number of blacks in each state, highlighting the disparity in sentencing rates as a percentage of each state's minority population.

The drug war of the past 20 years contributed greatly to that disparity, Preate said.

Drug sweeps are more often conducted in cities, where the population of African-Americans and other minority group members tend to be higher, and that means more blacks are arrested on drug charges, even though a variety of studies show that blacks and whites use illegal drugs at the same rate.

Steve Thomas/Post-Gazette



## **DEPARTMENT OF CORRECTIONS CODE OF ETHICS**

This handbook does not include every detail or situation involved in the operation of a Department facility. It aims at the presentation of over all policy guidelines. Facilities will issue more specific and detailed information as needs or circumstances dictate. In no instance, however, will facility rules and regulations take precedence over the policy contained herein.

### **A. General Responsibility of Department of Corrections Employees**

Consistent with the responsibility of all correctional employees in the Commonwealth of Pennsylvania to perform their duties with integrity and impartiality and to avoid situations whereby bias, prejudice, or personal gain could influence official decisions, the following code is being promulgated.

#### **1. Discrimination**

The responsibility of all corrections employees is to act in relation to all citizens of the Commonwealth without regard to age, race, color, ancestry, creed, sex, and marital status, national origin, non-job related handicap, or political beliefs. This necessarily includes the inmates whom we supervise and fellow employees with whom we work. All employees are expected to fully comply with the Department of Corrections policy prohibiting sexual harassment.

#### **2. Conflicts of Pecuniary Interest**

No department employee shall engage directly or indirectly in any personal business transaction or private arrangements for personal profit which accrues from or is based upon his/her official position or authority. The scope of this provision shall include prohibition against entering into any type of business transaction or private arrangements with inmates. Honorariums paid to Department officials for speaking on official topics shall be deposited in the appropriate Department fund.

#### **3. Representation of Interests**

No department employee shall represent or act as an agent for any private interest, whether compensable or not, which could be reasonably expected to result in a conflict between the private interest of the employee and his official state responsibility. This includes but is not limited to representing the interests of inmates.

#### **4. Gifts and Favors**

Employees and their families shall not directly or indirectly solicit, accept, or agree to accept any gift of money or goods, loans or services for personal benefit which would influence the performance of their work duties or decision making. Correctional employees shall not accept or perform favors or accept or distribute any gifts, money, or loans to or from inmates or members of an inmate's family.

7. The personal property of inmates will be handled with extreme care and disposed of only by properly designated authority in a manner designated by official Department of Correction's policy. Similarly, no employee may assume the right of ownership of property owned by fellow employees, the state or by inmates; theft or abuse of property or equipment is prohibited.
8. No employee shall leave his assigned post or leave the institution or grounds without being properly relieved and receiving proper authorization from a supervisor. Proper relief involves communicating any special observations or orders to the relief personnel.
9. Lawful orders by a supervisor to a subordinate must be executed promptly and faithfully by the subordinate even though the employee may question the wisdom of such order. The privilege of formally appealing the order may be done at a later date through either the supervisory command structure, civil service appeal, or the grievance machinery.
10. Employees are expected to treat their peers, supervisors, and the general public with respect and conduct themselves properly and professionally at all times; unacceptable conduct or insolence will not be tolerated.
11. All facility keys issued to employees will remain in their possession at all times. Under no circumstances are keys ever to be unguarded, mislaid, unaccounted for, taken from the institution, or turned over to an inmate.
12. Employees in uniform are required to keep said uniforms in a clean and neat condition, free from decoration, other than those officially prescribed. Non-uniformed employees will be required to meet the standards of neatness and grooming as established by their facility.
13. Employees may use their identification as an employee of the Department of Corrections only for identification in performing the duties and responsibilities required in the scope of their employment. Department identification will not be used where an employee may have other employment or in representing other interests.
14. Employees will promptly report to their supervisor any information which comes to their attention and indicates violation of the law, rules, and/or regulations of the Department of Corrections by either an employee or an inmate, and will maintain reasonable familiarity with the provisions of such directives.
15. Alcoholic beverages and controlled substances shall not be carried, stored, or consumed on state property or in any state Facility or vehicle. When a controlled substance or nonproprietary drug is prescribed by a physician, the employee shall immediately notify his/her supervisor and obtain prior written approval to bring the medication onto facility grounds. Such medication must always be kept under the secure control of the employee. An employee shall not report for duty in an unfit condition.
16. Personal weapons shall not be brought onto state property without the advanced written approval of the Superintendent.
17. Employees shall not testify in any civil case in which the Department of Corrections may have an interest without informing the Secretary, unless under court order.



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Form DC-135A

## INMATE'S REQUEST TO STAFF MEMBER

Commonwealth of Pennsylvania  
Department of Corrections

## INSTRUCTIONS

Complete items number 1-8. If you follow instructions in preparing your request, it can be responded to more promptly and intelligently.

1. To: (Name and Title of Officer)

CHAPLAIN McQUOWN, F.C.P.D.

2. Date:

11/18/02

3. By: (Print Inmate Name and Number)

LEONARD C. JEFFERSON, CL-4135

4. Counselor's Name

MS. GAMBLE

5. Unit Manager's Name

MS. MCKISSOCK

6. Work Assignment

G.L.P.

7. Housing Assignment

A/A-59

8. Subject: State your request completely but briefly. Give details.

SEVERAL WEEKS AGO YOU INITIATED THE PROCESS TO HAVE ME REMOVED FROM MY JOB (AS A CHAPEL CLERK) AND, ON 11/13/02, YOU WERE A MEMBER OF THE SUPPORT TEAM THAT CONDUCTED THE STAFFING.

YOU WILL RECALL THAT, DURING THE STAFFING, I REPEATEDLY ASKED TO BE INFORMED OF THE REASON/JUSTIFICATION FOR THIS ACTION TO REMOVE ME FROM THE JOB; AND, THAT I NEVER RECEIVED A SUBSTANTIVE, MEANINGFUL OR RELEVANT ANSWER TO THIS QUESTION.

THIS REQUEST IS TO FORMALLY ASK YOU TO GIVE ME A WRITTEN STATEMENT OF YOUR REASONS AND JUSTIFICATION FOR YOUR DECISION AND ACTIONS TO REMOVE ME FROM MY JOB.

THANK YOU IN ADVANCE FOR YOUR ATTENTION TO THIS REQUEST.

9. Response: (This Section for Staff Response Only)

Your poem which you stated you intended for "all." You stated that a person could "yell fire in a theatre if the theatre was burning + the theatre is burning." I found this to be a threat to the order + security of the institution. It is inflammatory + disruptive. In your position you had access to many inmates to spread this disruptive material + ruin.

To DC-14 CAR only ☐To DC-14 CAR and DC-15 IRS ☐

Staff Member Name

McQuown  
Print

Sign

Date

11/18/02

Revised July 2000

SUMMARY JUDGMENT ATTACHMENT

Form DC-135A		Commonwealth of Pennsylvania Department of Corrections	
<b>INMATE'S REQUEST TO STAFF MEMBER</b>		<b>INSTRUCTIONS</b> Complete items number 1-8. If you follow instructions in preparing your request, it can be responded to more promptly and intelligently.	
1. To: (Name and Title of Officer) <u>Ms. GAMBLE, COUNSELOR</u>		2. Date: <u>11-20-02</u>	
3. By: (Print Inmate Name and Number) <u>LEONARD C. JEFFERSON, CL-4135</u>  <u>Leonard C. Jefferson</u> Inmate Signature		4. Counselor's Name <u>Ms. GAMBLE</u>	
		5. Unit Manager's Name <u>Ms. MCKISSOCK</u>	
6. Work Assignment <u>GLP</u>		7. Housing Assignment <u>A/A-59</u>	
8. Subject: State your request completely but briefly. Give details. <u>JEROME MILLER (THE AUTHOR OF THE HIGHLIGHTED LINES ON THE ENCLOSED SHEET) IS A WELL-KNOWN CRIMINOLOGIST WHOM YOU MIGHT BE FAMILIAR WITH SINCE HE USED TO WORK IN PA'S DOC. I READ HIS BOOK, SEARCH AND DESTROY, AT MERCER IN 1999. IT'S ABOUT TIME PRESENTS A LOT OF THE SAME FACTS, FIGURES AND ARGUMENTS THAT ARE PRESENTED IN SEARCH AND DESTROY. BOTH OF THESE BOOKS ARE FILLED WITH STATEMENTS AND STATISTICS THAT MAKE THE SAME POINT AS MY POEMS; SO I REMAIN UNABLE TO UNDERSTAND HOW AND/OR WHY IT IS THAT WHEN PROFESSIONAL SOCIOLOGIST, CRIMINOLOGIST AND NEWSPAPER ARTICLES PRESENT THE FACTS ABOUT RACISM IN THE JUDICIAL SYSTEM; THEIR STATEMENTS ABOUT THIS UNPLEASANT REALITY DOES NOT CAUSE YOU TO PERCEIVE THEM-NOR THEIR STATEMENTS-AS THREATS. SO HOW IS IT THAT I, THE VICTIM OF THE INJUSTICE, AM PERCEIVED AS A THREAT WHEN I HAVE DONE NOTHING MORE THAN WRITE POETRY WHICH RESTATES THE MAIN POINTS THAT WERE PRESENTED BY THE ESTEEMED PROFESSIONALS WHO HAVE STUDIED AND CONTINUE TO STUDY THIS IMPORTANT ISSUE? NEITHER DEPT. KORMANIC, CHAP. McQUOWN NOR MR. BENTLEY HAVE RESPONDED TO MY REQUEST FOR A WRITTEN STATEMENT OF THE REASONS WHY I WAS REMOVED FROM THE JOB. WOULD YOU PLEASE GET A WRITTEN STATEMENT FOR ME. THANK YOU.</u>			
9. Response: (This Section for Staff Response Only)			
<u>599 ATTACKS</u>			
To DC-14 CAR only <input type="checkbox"/>			
To DC-14 CAR and DC-15 IRS <input type="checkbox"/>			

Staff Member Name

Print

Sign

Date

Revised July 2000

SUMMARY JUDGMENT ATTACHMENT

JEFFERSON CL4135

IN RESPONSE TO YOUR REQUEST OF 11/20/02: YOU ARE CORRECT IN THAT THERE IS A GREAT DEAL OF LITERATURE AVAILABLE ON THIS SUBJECT THAT IS WRITTEN BY **PROFESSIONALS**. AS WE DISCUSSED, THIS IS NOT THE SUBJECT AT HAND. YOU ALSO HAVE NO WAY OF KNOWING HOW I PERCEIVE THIS INFORMATION OR STATEMENTS MADE BY THESE AUTHORS. FACTUAL INFORMATION IS OBJECTIVE AND DIFFERS A GREAT DEAL FROM SUBJECTIVE WRITINGS SUCH AS POETRY. YOUR OPINION THAT YOU ARE A VICTIM OF AN INJUSTICE IS ALSO NOT THE ISSUE AT HAND. THAT IS AN ISSUE YOU CAN DEAL WITH THROUGH THE COURT SYSTEM.

THE SUPPORT TEAM HEARING REGARDING YOUR EMPLOYMENT WAS HELD BECAUSE THE STAFF HAD SECURITY CONCERNS IN REGARDS TO THE INTENT OF THE POETRY. WE DO NOT KNOW WHAT YOUR INTENTIONS WERE. YOU YOURSELF STATED, "IT IS FOR EVERYONE". WE ALSO HAVE NO WAY OF KNOWING HOW OTHER INMATES MAY INTERPRET YOUR POETRY IF IT HAD BEEN DISTRIBUTED. WE DISCUSSED IN DETAIL AT THE STAFFING THE CONCERNS THAT WE HAD REGARDING THE CONTENT OF THE POETRY COMBINED WITH OUR CONCERNS ABOUT THE EXTENT OF THE CONTACT YOUR JOB ALLOWED YOU WITH OTHER INMATES. IT WAS CONSIDERED INAPPROPRIATE FOR YOU TO HAVE THIS IN YOUR POSSESSION AT WORK WITH THE POSSIBILITY OF YOU DISTRIBUTING IT.

IF YOU HAVE ANY FURTHER QUESTIONS REGARDING THE ISSUE OF YOUR REMOVAL FROM YOU POSITION, I WOULD SUGGEST YOU CONTACT INMATE EMPLOYMENT AGAIN FOR A RESPONSE. I HAVE NOTHING FURTHER TO ADD TO WHAT WAS DISCUSSED AT THE STAFFING.

THIS IS MS. GAMBLE'S 11/21/02 RESPONSE TO MY 11/20/02 DC-135A WHICH REQUESTED A WRITTEN STATEMENT OF THE REASONS FOR THE SUPPORT TEAM'S DECISION TO REMOVE ME FROM MY JOB.

SUMMARY JUDGMENT ATTACHMENT

DC-804  
Part 1COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF CORRECTIONS  
P.O. BOX 598  
CAMP HILL, PA 17001-0598

FOR OFFICIAL USE ONLY

38293

GRIEVANCE NUMBER

PAGE TWO OF TWO

## OFFICIAL INMATE GRIEVANCE

TO: FACILITY GRIEVANCE COORDINATOR Mr. Barr	FACILITY: Albion	DATE: 12/08/02
FROM: (INMATE NAME & NUMBER) Leonard C. Jefferson, CL-4135	SIGNATURE of INMATE: <i>Leonard C. Jefferson</i>	
WORK ASSIGNMENT: GLP	HOUSING ASSIGNMENT: A/A-59	
<b>INSTRUCTIONS:</b> 1. Refer to the DC-ADM 804 for procedures on the inmate grievance system. 2. State your grievance in Block A in a brief and understandable manner. 3. List in Block B any actions you may have taken to resolve this matter. Be sure to include the identity of staff members you have contacted.		
<b>A. Provide a brief, clear statement of your grievance. Additional paper may be used, maximum two pages.</b> after 10/24/02 when Mrs. Brennan found and distributed the poetry. Neither my good attitude nor the excellence of my work declined at any time; it was/is the perception of those who were annoyed by the poetry that declined and became "poor"... so poor that they found it necessary to take revenge and to conjure up a pretext which might give an appearance of justification to their naked acts of vengeance. ¶ Notwithstanding their official statements, on the DC-135As which are attached, that my possession of the Article and poetry posed a threat to the orderly running of the institution, (1) no security investigation has been conducted, (2) neither the Article nor the poetry have been confiscated, and (3) no misconduct report(s) have been issued. And notwithstanding the official statement of Chap. McQuown that he found it necessary to terminate my employment in the Chapel because that job gave me "access to many inmates to spread this disruptive material & views" to; I have been given a new assignment which allows me to have even more access to a larger number of inmates than I had when I was employed in the Chapel. This makes clear the fact that neither I, nor the article, nor the poetry posed any real threat and that the actions taken to remove me from my job were/are nothing more than acts of retaliation by those who found reason to be personally offended by the poetry. ¶ In light of these facts I assert: (1) the decision of the Support team should be nullified and removed from my records, (2) the actions of the Employment Coordinator, in terminating my employment in the Chapel, should be reversed and I should be returned to work and be paid 42¢ per hour for each day that I was off the job between 11/14/02 and my actual return to a work assignment at that rate of pay.		
<b>B. List actions taken and staff you have contacted, before submitting this grievance.</b>		

Your grievance has been received and will be processed in accordance with DC-ADM 804.

Signature of Facility Grievance Coordinator

Date

WHITE - Facility Grievance Coordinator Copy CANARY - File Copy PINK - Action Return Copy GOLDENROD - Inmate Copy

Revised

December 2000

SUMMARY JUDGMENT ATTACHMENT

TWO OF TWO

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DC-804  
Part 1COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF CORRECTIONS

P.O. BOX 598

CAMP HILL, PA 17001-0598

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GRIEVANCE NUMBER

PAGE ONE OF TWO

## OFFICIAL INMATE GRIEVANCE

TO: FACILITY GRIEVANCE COORDINATOR Mr. Barr	FACILITY: Albion	DATE: 12/08/02
FROM: (INMATE NAME & NUMBER) Leonard C. Jefferson, CL-4135	SIGNATURE of INMATE: <i>Leonard C. Jefferson</i>	
WORK ASSIGNMENT: GLP	HOUSING ASSIGNMENT: A/A-59	
<p>INSTRUCTIONS:</p> <ol style="list-style-type: none"> <li>1. Refer to the DC-ADM 804 for procedures on the inmate grievance system.</li> <li>2. State your grievance in Block A in a brief and understandable manner.</li> <li>3. List in Block B any actions you may have taken to resolve this matter. Be sure to include the identity of staff members you have contacted.</li> </ol> <p>A. Provide a brief, clear statement of your grievance. Additional paper may be used, maximum two pages.</p> <p>On 11/13/02 a Support Team met and recommended that my employment as a Chapel Clerk be terminated. On 11/14/02 the Employment Coordinator informed me that my employment in the Chapel, at 42¢ per hour had been terminated and that I had been assigned to GLP, at 72¢ per day. In light of the reasons stated in my 11/25/02 letter to Deputy Kormanik (which is attached) and the following, I assert in this Grievance that the actions of the Support Team and Employment Coordinator were/are (1) without justification, and (2) were carried out in retaliation against me in response to my personal opinions (about my experience, as a Black man, in this state's courts) which Mrs. Brennan happened to find expressed written in lines of poetry on the back of a newspaper article. ¶ On 10/24/02 Nation Of Islam Chaplain Michael Anderson- unaware that the poetry was on the back of the article -asked Mrs. Brennan if she would make a (single) copy of the ARTICLE for him and return the original to me. Mrs. Brennan copied the ARTICLE which she had been asked to copy and she copied the poetry which she had not been asked to copy. She gave Mr. Anderson the copy he had requested and the original was returned to me. ¶ There was no "incident" on 10/24/02, nor at any other time, on the job about which it has been, or could be, said that my attitude and performance was "poor". This is clear from the records which indicate that I have presently been housed on the Honor Block for about 50 months. My Housing Unit and Employment Evaluations -and especially the August 2002 Evaluation wherein it was determined that my attitude and conduct was such that it qualified me to be, and I actually advanced to the position of, an Inmate Peer leader in the Chaplaincy Department; these records indicate that my attitude was not perceived as being "poor" until</p> <p>B. List actions taken and staff you have contacted, before submitting this grievance.</p> <p>It was necessary for me to send DC-135As to Ms. Gamble, Mr. Bentley, Chap. McQuown and Dept. Kormanik to obtain written statements of the reasons why they terminated my employment in the Chapel, (see attached DC-135As). After receiving their reasons, I sought an informal resolution of the matter via a 11/25/02 letter (which is also attached) to Dept. Kormanik. Dept. Kormanik did not respond to my request for an informal resolution.</p>		

Your grievance has been received and will be processed in accordance with DC-ADM 804.

Signature of Facility Grievance Coordinator

Date

WHITE - Facility Grievance Coordinator Copy CANARY - File Copy PINK - Action Return Copy GOLDENROD - Inmate Copy

Revised  
December 2000

SUMMARY JUDGMENT ATTACHMENT

ONE OF TWO

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SCI ALBION  
APPEAL TO SUPERINTENDENT  
**GRIEVANCE**

DC #	NAME	HOUSING UNIT	DATE SENT	GRIEVANCE #
CL-4135	LEONARD C. JEFFERSON	A/A-59	01/13/03	38293

I received my initial response from the Grievance Officer/Coordinator on 01/10/03, and have the following appeal issues.

Refer to DC ADM 804 grievance appeal procedures for complete instructions.  
Please provide a BRIEF appeal statement.

THE DC-804 PART 1 WHICH I FILED ON 12/10/02 CONTAINS THE FOLLOWING STATEMENTS WHICH CLEARLY IDENTIFY THE SUPPORT TEAM (I.E., CHAP. McQUOWN, MR. SNYDER AND MS. GAMBLE) AND THE EMPLOYMENT COORDINATOR AS THE STAFF MEMBERS AGAINST WHOM THE GRIEVANCE WAS FILED:

"I ASSERT IN THIS GRIEVANCE THAT THE ACTIONS OF THE SUPPORT TEAM AND EMPLOYMENT COORDINATOR WERE/ARE (1) WITHOUT JUSTIFICATION, AND (2) WERE CARRIED OUT IN RETALIATION AGAINST ME... AND NOTWITHSTANDING THE OFFICIAL STATEMENT OF CHAP. McQUOWN THAT HE FOUND IT NECESSARY TO TERMINATE MY EMPLOYMENT..."

NOTWITHSTANDING THE PROHIBITION (AT DC-ADM 804, VI, B, 1, e) AGAINST THE GRIEVANCE OFFICER BEING A STAFF MEMBER WHO HAS BEEN IDENTIFIED AS BEING INVOLVED IN THE ISSUE, THE ATTACHED DC-804 PART 2 INDICATES CHAP. McQUOWN WAS DESIGNATED TO BE - AND, ON 12/23/02, ACTED AS - THE GRIEVANCE OFFICER IN THIS GRIEVANCE.

SUBPARAGRAPH VI, B, 1, e OF DC-ADM 804 RECOGNIZES AND REFLECTS THE REALITY THAT THE FINDINGS OF ONE WHO INVESTIGATES A GRIEVANCE AGAINST HIM/HER SELF WILL NEVER BE OBJECTIVE; BUT WILL, WITHOUT DOUBT, DISTORTED BY EMOTIONAL AND PERSONAL BIAS AND, THUS, SHOULD NOT AND MAY NOT BE RELIED UPON AS BEING ACCURATE. BECAUSE OF THIS, I URGE YOU (SUPT. WOLFE), TO REJECT AND EXCLUDE THE SUMMARY FINDINGS OF CHAP. McQUOWN (WHICH APPEAR ON PART 2) FROM YOUR CONSIDERATION OF MY GRIEVANCE AND FROM YOUR CONSIDERATION OF THIS APPEAL.

I RESPECTFULLY REQUEST THAT YOU (SUPT. WOLFE) SPEAK WITH IMAM ABDALLA; HE WAS MY IMMEDIATE SUPERVISOR. IF/WHEN YOU SPEAK WITH IMAM ABDALLA YOU WILL FIND THAT: (1) HE WAS DELIGHTED WITH MY ATTITUDE AND WITH MY PERFORMANCE ON THE JOB (AS IS DEMONSTRATED BY THE EVALUATIONS IN MY FILE), (2) HE DID NOT WANT ME TO BE REMOVED FROM THE JOB, (3) HE KNEW OF, AND EXPRESSED HIS OPPOSITION TO, THE SUPPORT TEAM ACTION TO REMOVE ME FROM THE JOB, HE WAS INFORMED BY HIS SUPERIORS THAT I WAS GOING TO BE "STAFFED OUT" BECAUSE OF THE POETRY, AND (5) HE FELT POWERLESS AND BELIEVED THERE WAS NOTHING HE COULD DO TO PREVENT HIS SUPERIORS FROM REMOVING ME FROM THE JOB.

SUMMARY JUDGMENT ATTACHMENT



COMMONWEALTH OF PENNSYLVANIA  
Department of Corrections  
State Correctional Institution at Albion  
(814) 756-5778  
January 15, 2003

**SUBJECT: APPEAL TO SUPERINTENDENT  
GRIEVANCE #38298**

**TO:** Leonard Jefferson  
CL-4135  
A/A



**FROM:** William J. Wolfe  
Superintendent

I have reviewed the original grievance, the Grievance Officer's response, and your appeal to this office.

You have provided no additional evidence to support your claims, and it appears to me that your grievance has been dealt with appropriately by staff.

You received the staffing and policy was followed. My advice to you is review what led to your dismissal from the job assignment.

After thorough review and evaluation, I must sustain the Grievance Officer's decision.

WJW/dls

cc: Deputy Marquardt  
Deputy Kormanic  
Major Neiswonger  
Mr. Barr  
Rev. McQuown  
~~DC-15~~  
File

46  
"Our mission is to protect the public by confining persons committed to our custody in safe, secure facilities, and to provide opportunities for inmates to acquire the skills and values necessary to become productive law-abiding citizens; while respecting the rights of crime victims"

SCI ALBION  
APPEAL TO SUPERINTENDENT  
**GRIEVANCE**

DC #	NAME	HOUSING UNIT	DATE SENT	GRIEVANCE #
CL-4135	LEONARD C. JEFFERSON	A/A-59	01/13/03	38293

I received my initial response from the Grievance Officer/Coordinator on 01/10/03 and have the following appeal issues.

Refer to DC ADM 804 grievance appeal procedures for complete instructions.  
Please provide a BRIEF appeal statement.

AS YOU KNOW, RELIGIONS ARE INSTITUTIONS THAT TEACH BASIC PRINCIPLES OF PERSONAL AND SOCIAL RESPONSIBILITY SUCH AS: THOU SHALL NOT KILL, STEAL, LIE AND THE CONCEPT THAT ONE SHOULD TREAT OTHERS AS THAT ONE WOULD WANT TO BE TREATED. THE HIGH MORAL TEACHINGS OF THE WORLD'S MAJOR RELIGIONS HAS CAUSED AND CONTINUES TO CAUSE RELIGIONS AND RELIGIOUS PEOPLE TO BE IN THE FOREFRONT OF IMPORTANT SOCIAL ISSUES AT EVERY PLACE AND TIME. CATHOLICS ARE WELL KNOWN FOR THEIR STANDS AGAINST OPPRESSION, CAPITAL PUNISHMENT AND ABORTION. QUAKERS FOR THEIR STANDS AGAINST MAN'S INJUSTICE TO MAN AND ESPECIALLY SLAVERY. BUDDHIST AND HINDUS FOR THEIR STANDS AGAINST AGGRESSION, VIOLENCE AND WAR. THE NATION OF ISLAM FOR ITS STAND AGAINST RACISM IN AMERICA. CHRISTIANS OF ALL DENOMINATIONS TOOK STANDS AGAINST RACISM, WHICH WAS ENFORCED BY DISCRIMINATORY STATUTES AND LAWS, AND STOOD UP FOR CIVIL RIGHTS. WHILE THE RELIGION OF AL-ISLAM IS WIDELY KNOWN FOR ITS STANDS AGAINST THE CONSUMPTION OF PORK AND ALCOHOL, SEX OUT OF WEDLOCK AND THE INTERMINGLING OF THE SEXES, THERE ARE MANY VERSES IN THE QURAN WHICH CALL FOR MUSLIMS TO STAND AGAINST AND SPEAK OUT AGAINST INJUSTICE IN ANY OF THE MANY FORMS IN WHICH IT MAY APPEAR IN SOCIETY: INCLUDING - BUT NOT LIMITED TO - RACIAL INJUSTICE. I HAVE MENTIONED THESE THINGS TO SAY THAT MY WRITING AND POSSESSING OF POETRY, WHICH IDENTIFIES AND CALLS FOR THE ELIMINATION OF RACIAL INJUSTICES IN PENNSYLVANIA'S COURTS, DID NOT/DOES NOT VIOLATE ANY D.O.C. POLICY - NOR DO MY BELIEFS (THAT RACIAL INJUSTICES MUST BE ELIMINATED FROM PENNSYLVANIA'S COURTS) POSE A THREAT TO THE SECURITY OF SCI-ALBION WHICH CALLS FOR AND/OR CONSTITUTES A LEGITIMATE JUSTIFICATION - FOR REMOVING ME FROM A JOB WHICH I WAS PERFORMING WITH A HIGH DEGREE OF EXCELLENCE IN THE CHAPEL.

THE STAFF'S FAILURE TO PRODUCE ANY JUSTIFICATION (BEYOND THEIR UNPROFESSIONAL AND EMOTIONAL OUTRAGE AT A VIEW EXPRESSED IN POETRY) WHICH SUPPORTS THEIR ACTIONS TO REMOVE ME FROM MY JOB PURSUANT TO A LEGITIMATE PENOLOGICAL NEED/OBJECTIVE IS A CLEAR INDICATOR THAT: (1) MY REMOVAL FROM THE JOB WAS/IS AN ACT OF RETALIATION AND AN ABUSE OF AUTHORITY BY THOSE WHO WERE ANNOYED BY THE POETRY, (2) THIS GRIEVANCE SHOULD BE SETTLED IN FAVOR OF THE GRIEVANT, AND (3) IN ADDITION TO THE RELIEF STATED IN THE LAST FIVE LINES OF PART 1 OF THIS GRIEVANCE; I SHOULD BE PAID/REIMBURSED \$1.90 TO COVER THE COST OF THE PHOTOCOPIES WHICH WERE REQUIRED TO COMPLY WITH THE FILING REQUIREMENTS OF DC-ADM 804.

SUMMARY JUDGMENT ATTACHMENT

INMATE SIGNATURE:

*Leonard C. Jefferson*

COMMONWEALTH OF PENNSYLVANIA  
Department of Corrections  
State Correctional Institution at Albion  
(814) 756-5778  
January 15, 2003

**SUBJECT: APPEAL TO SUPERINTENDENT  
GRIEVANCE #38298**

**TO:** Leonard Jefferson  
CL-4135  
A/A



**FROM:** William J. Wolfe  
Superintendent

I have reviewed the original grievance, the Grievance Officer's response, and your appeal to this office.

You have provided no additional evidence to support your claims, and it appears to me that your grievance has been dealt with appropriately by staff.

You received the staffing and policy was followed. My advice to you is review what led to your dismissal from the job assignment.

After thorough review and evaluation, I must sustain the Grievance Officer's decision.

WJW/dls

cc: Deputy Marquardt  
Deputy Kormanic  
Major Neiswonger  
Mr. Barr  
Rev. McQuown  
~~DC-15~~  
File

SUMMARY JUDGMENT ATTACHMENT

"Our mission is to protect the public by confining persons committed to our custody in safe, secure facilities, and to provide opportunities for inmates to acquire the skills and values necessary to become productive law-abiding citizens; while respecting the rights of crime victims"

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11961  
GRIEVANCE NUMBER

ONE OF TWO

## OFFICIAL INMATE GRIEVANCE

TO: FACILITY GRIEVANCE COORDINATOR Mr. Barr	FACILITY: Albion	DATE: 01/17/03
FROM: (INMATE NAME & NUMBER) Leonard C. Jefferson, CL 4135	SIGNATURE of INMATE: <i>Leonard C. Jefferson</i>	
WORK ASSIGNMENT: GLP	HOUSING ASSIGNMENT: A/A	

## INSTRUCTIONS:

1. Refer to the DC-ADM 804 for procedures on the inmate grievance system.
2. State your grievance in Block A in a brief and understandable manner.
3. List in Block B any actions you may have taken to resolve this matter. Be sure to include the identity of staff members you have contacted.

A. Provide a brief, clear statement of your grievance. Additional paper may be used, maximum two pages. This Grievance is filed against Supt. Wolfe and Mr. Barr, the Facility Grievance Coordinator, for their intentional violation of DC ADM 804; which are stated below.

On 12/10/02 I filed a Grievance which: (1) was assigned Grievance Tracking Number 38293, and (2) named Chap. McQuown as a member of the Support Team which the Grievance was filed against. Notwithstanding sub-paragraph VI,B,1,e of DC-ADM 804 which states: "The Facility Coordinator shall not designate a staff member to serve as a Grievance Officer who was identified by the inmate as being involved in the issue", the DC- 804 PART 2, which is dated 12/23/02, in Grievance # 38293 indicates that Mr. Barr designated Chap. McQuown to be the Grievance Officer to investigate Grievance # 38293 which was filed against himself (i.e., Chap. McQuown). In my APPEAL TO FACILITY MANAGER I pointed out the violation via the statement: "Sub-paragraph VI,B,1,e of DC-ADM 804 recognizes and reflects the reality that the findings of one who investigates a Grievance against him/her self will never be objective; but will, without doubt, be distorted by emotional and personal bias and, thus, should not and may not be relied upon as being accurate. Because of this, I urge you (Supt. Wolfe) to reject and exclude the summary findings of Chap. McQuown...from your consideration of my Grievance and from your consideration of this appeal." ¶ On 01/16/03 I received a Memo from Supt. Wolfe which, among other things, informed me that: (1) "...it appears to me that your Grievance has been dealt with appropriately by staff." And (2) "I must sustain the Grievance Officer's decision." These statements by Mr. Wolfe indicate that he approves of

B. List actions taken and staff you have contacted, before submitting this grievance.

I filed and Appeal to the Facility Manager, pursuant to DC-ADM 804, which presented the issue raised in this Grievance to Mr. Wolfe on 01/13/03. Mr. Wolfe's 01/15/03 response indicated he did not believe my complaint was legitimate.

SUMMARY JUDGMENT ATTACHMENT

ONE OF TWO

Your grievance has been received and will be processed in accordance with DC-ADM 804.

*Wittab-*

01-22-03

Signature of Facility Grievance Coordinator

Date

*Problem with Staff Mr. McCarthy*

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DC-804  
Part 1COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF CORRECTIONS  
P.O. BOX 598  
CAMP HILL, PA 17001-0598

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41961  
GRIEVANCE NUMBER

TWO OF TWO

## OFFICIAL INMATE GRIEVANCE

TO: FACILITY GRIEVANCE COORDINATOR Mr. Barr	FACILITY: Albion <del>Albion</del> <del>01/17/03</del>	DATE: 01/17/03
FROM: (INMATE NAME & NUMBER) Leonard C. Jefferson, CL-4135	SIGNATURE of INMATE: <i>Leonard C. Jefferson</i>	
WORK ASSIGNMENT: GLP	HOUSING ASSIGNMENT: A/A	

## INSTRUCTIONS:

1. Refer to the DC-ADM 804 for procedures on the inmate grievance system.
2. State your grievance in Block A in a brief and understandable manner.
3. List in Block B the specific actions you have taken to resolve this matter informally. Be sure to include the identity of staff members you have contacted.

A. Provide a brief, clear statement of your grievance. Additional paper may be used, maximum two pages.

and supports the violation of DC-ADM 804 which Mr. Barr committed when he designated Chap. McQuown to be the Grievance Officer in Grievance # 38293 wherein he (Chap. McQuown) had been identified as being involved in the issue.

In light of the facts stated above, and in light of Chap. McQuown's name and signature, as the Grievance Officer, on the DC-804 PART 2 in Grievance # 38293; I respectfully request: (1) that the decision of the Facility Manager on the Appeal from Grievance # 38293 be made null and void on the grounds that said decision was/is based upon an investigative procedure which violates the terms of DC-ADM 804, (2) that a staff member who is not involved in the issue be designated Grievance Officer and that he/she conduct a proper investigation of the claims stated on the DC-804 PART 1 in Grievance # 38293, (3) that said Grievance Officer submit a DC-804 PART 2 following his/her investigation, and (4) that steps be taken to cause Supt. Wolfe and Mr. Barr to comply with all of the terms stated in DC-ADM 804 in the future.

B. List actions taken and staff you have contacted, before submitting this grievance. Attach the copy of the DC-135A with the staff member's response of your informal resolution attempt.

SUMMARY JUDGMENT ATTACHMENT

TWO OF TWO

Your grievance has been received and will be processed in accordance with DC-ADM 804.

Signature of Facility Grievance Coordinator

Date